



GUIDELINES AND BID INSTRUCTIONS

New York State
Department of Environmental Conservation

OPEN SPACE CONSERVATION GRANT PROGRAM Round 1, 2025

Request For Applications

NYS SFS Grants Management Bid Event ID # **OSCGP**

Apply through the [SFS Vendor Portal](#)

Bid Due Date & Time: Wednesday, February 18, 2026, at 3:00 pm ET,

Timetable of Key Events:

Bidding Period Begins	November 19, 2025
Webinar	Wednesday, December 3, 2025, 1:00pm ET – 3:00pm ET
Question & Answer Period Ends	Monday, February 16, 2026, at 3:00pm ET
Bids Due	Wednesday, February 18, 2026
Award(s) Announced By (anticipated)	May 2026

Webinar Information:

Webinar topic: Open Space Bond Act Grant Program

Date and time: Wednesday, December 3, 2025 1:00 PM | (UTC-05:00) ET (US & Canada)

Register link: <https://meetny-gov.webex.com/weblink/register/r7a761287976afdb91fd9898a5845623a>

Webinar number: 2826 262 5485

Webinar password: welcome1 (93526631 when dialing from a phone or video system)

Join by phone +1-415-527-5035 United States Toll

Access code: 2826 262 5485

Table of Contents

- 1. GRANT INFORMATION..... 4**
 - A) FUNDING..... 4
 - B) PROPOSED PROJECT TIMEFRAMES 5
 - C) MINIMUM AND MAXIMUM AWARD AMOUNTS 5
 - D) MATCH REQUIREMENTS..... 5
 - E) SMALL PROJECTS 5
 - F) BID LIMIT..... 5
 - G) PROJECT LOCATION AND CONDITION..... 5
 - H) SITE PREPARATION / CLEANUP..... 6
 - I) ELIGIBLE PROJECT PURPOSES..... 6
 - J) OTHER ELIGIBLE PROJECT REQUIREMENTS 7
 - K) NOT ELIGIBLE..... 8
- 2. ELIGIBLE BIDDERS..... 8**
- 3. INQUIRIES & DESIGNATED CONTACT INFORMATION.....10**
- 4. BID SUBMISSION.....10**
- 5. GRANT OPPORTUNITY GENERAL INFORMATION AND CONDITIONS12**
 - A) GRANT BID REQUIREMENTS AND CONDITIONS..... 12
 - B) PERFORMANCE-BASED BUDGET..... 13
 - C) WORK PLAN 14
 - D) DISADVANTAGED COMMUNITY 15
 - E) DEBRIEFING REQUEST..... 15
 - F) PROTEST PROCEDURE 15
 - G) DEPARTMENT OF ENVIRONMENTAL CONSERVATION OVERSIGHT 15
 - H) SEXUAL HARASSMENT PREVENTION CERTIFICATION 16
 - I) EXECUTIVE ORDER 16 17
 - J) GENDER BASED VIOLENCE AND THE WORKPLACE CERTIFICATION 17
 - K) SEQRA AND PERMITS 18
 - L) LOCAL/COMMUNITY SUPPORT 18
 - M) OUTREACH AND EDUCATION..... 18
 - N) HISTORIC PRESERVATION REVIEW REQUIREMENTS 18
 - O) COASTAL CONSISTENCY REQUIREMENTS..... 18
- 6. GRANT PROGRAM POST-AWARD REQUIREMENTS.....19**
 - A) PRELIMINARY REVIEW PACKAGE:..... 19
 - B) PRE-CLOSING REQUIREMENTS: 19
 - C) POST-CLOSING REQUIREMENTS: 20
 - D) SITE PREPARATION / CLEANUP: 21
- 7. BID EVALUATION, SCORING AND SELECTION21**
 - STEP 1: BID AND PROJECT ELIGIBILITY DETERMINATION 21
 - STEP 2: PROJECT SCORING EVALUATION 25
- 8. METHOD OF AWARD34**
- 9. GRANT PROGRAM PAYMENT35**
- 10. ELIGIBLE AND INELIGIBLE EXPENDITURES37**
 - A) BUDGET COSTS ELIGIBLE FOR FUNDING 37

B)	BUDGET COSTS NOT ELIGIBLE FOR FUNDING.....	37
11.	GRANT PROGRAM REPORTING	38
12.	WHAT TO EXPECT IF YOU RECEIVE AN AWARD	38
A)	NOTIFICATION OF AWARD.....	38
B)	STATE OF NEW YORK MASTER CONTRACT FOR GRANTS (MCG).....	39
C)	INSURANCE REQUIREMENTS	39
D)	PERMIT REQUIREMENTS (IF APPLICABLE).....	39
E)	STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) DOCUMENTATION	39
F)	VENDOR RESPONSIBILITY QUESTIONNAIRE.....	40
G)	IRAN DIVESTMENT ACT	40
H)	MINORITY AND WOMEN BUSINESS ENTERPRISE (MWBE) AND EQUAL EMPLOYMENT OPPORTUNITY (EEO) REQUIREMENTS	40
I)	SERVICE-DISABLED VETERAN-OWNED BUSINESS (SDVOB) PARTICIPATION REQUIREMENTS.....	41
J)	PROCUREMENT OF CONTRACTORS/SUBCONTRACTORS	42
K)	AMERICANS WITH DISABILITIES ACT.....	42
L)	SIGNAGE	42
M)	DIESEL EMISSIONS REDUCTION ACT 2006.....	42
	APPENDIX A – FINANCIAL WORKBOOK, INCLUDING PERFORMANCE BASED BUDGET INSTRUCTIONS	A1
	APPENDIX B – BID SUBMISSION CHECKLIST	B1
	APPENDIX C – SAMPLE MUNICIPAL RESOLUTION – MAY BE ADAPTED FOR NOT-FOR-PROFIT STATEMENT OF INTENT.....	C1
	APPENDIX D – SAMPLE LANDOWNER AGREEMENT LETTER – MAY BE ADAPTED FOR ALL SELLERS AND ALL BIDDERS.....	D1
	APPENDIX E – NOTICE OF GRANT LANGUAGE	E1
	APPENDIX F – GRANT APPRAISAL REQUIREMENTS	F1
	APPENDIX G – SURVEYS.....	G1

1. Grant Information

The New York State Department of Environmental Conservation (DEC) is pleased to announce availability of at least \$25,000,000 from the Clean Water, Clean Air, and Green Jobs Environmental Bond Act of 2022 (Bond Act) and the NYS Environmental Protection Fund (EPF). New York offers incredible recreational and outdoor opportunities, from the majestic Adirondack High Peaks to the awe-inspiring Niagara Falls. However, some communities, particularly underserved ones, lack access to green spaces that provide significant community benefits. The goal of this grant program is to provide funding for land conservation partners across New York State. Bids are invited for grant funding to acquire land for the purpose of open space conservation and preservation.

Projects funded through the Bond Act will increase climate resiliency and adaptation; buffer communities and diverse ecosystems to protect against impacts from large storm events; protect forests for the benefit of heat mitigation; offer large-scale habitat connectivity; and protect water quality through waterbody and waterway conservation. Additional priorities include projects that provide New Yorkers with enhanced access to recreational opportunities and preserve and improve ecosystems and biologic diversity. Projects will also align with Open Space Plan priorities and the State's 30x30 goals, achieve critical environmental and community resource protection needs, and demonstrate geographic distribution across New York State.

The intent of this Request for Applications (RFA), for this round, is to administer funds for the purchase and costs associated with Fee Simple acquisition of open space projects by the bidder (applicant) which are not intended to be conveyed to the People of the State of New York after closing; however, the Notice of Grant provides that acquired parcels may be conveyed at no cost to other qualified parties. This allows a bidder to protect open space intended to be conveyed to another Eligible Bidder with the approval of the DEC. **This round does not include grants for conservation easements.**

Specifically, DEC invites bids for State financial assistance to enable eligible bidders to cover all or a portion of total project costs for the purchase of Open Space Land Conservation projects from willing sellers of viable lands that are consistent with the New York State Open Space Conservation Plan and the Bond Act definition of an open space land conservation project, as detailed in paragraph i. below (Eligible Project Purposes).

a) Funding

DEC has made available at least \$25 million for the first round of a grant program supported by the Bond Act for land acquisition and associated non-land costs, with a minimum of \$50,000 and maximum of \$3.5 million available for each project. The following additional information is detailed further in Section 8, Method of Award, of this RFA.

- Acquisition Costs – Bidders will include estimated acquisition costs in their Budget in the State Financial System Grants Management (SFS GM) system.
- DEC will review the bid and reserve the right to limit the award amount for project costs (excluding cost of land) that exceed 25% of the land cost.
- \$5 million contingency funding will be retained by DEC until such time that a grantee has non-land acquisition costs exceeding the original request for funding. See Section 8, Method of Award, Contingency Awards for further information.

- Approximately \$200,000 additional from the Environmental Protection Fund will be awarded to pay for certain pre-acquisition costs.

b) Proposed Project Timeframes

Approximate contract term is anticipated to be June 1, 2026 – May 31, 2029. All projects must have defined objectives, tasks, and deliverables accounted for in performance measures that can be completed and invoiced within a **three-year** contract period/term. Costs outside of the contract period/term are ineligible. The Master Contract for Grants (MCG) must be fully approved by DEC, and if applicable approved by the Attorney General and the State Comptroller. Time extensions beyond the contract term end date may be determined by DEC based upon written justification from the Bidder. Bidders should not submit a bid if they do not anticipate their project can be completed within the specified contract term.

c) Minimum and Maximum Award Amounts

Bidders are encouraged to request the amount of funding they deem appropriate and reasonable for their project. Minimum grant amount is \$50,000 and maximum amount is \$3,500,000.

d) Match Requirements

There are no Match requirements for this grant opportunity.

e) Small Projects

For the purposes of funding this grant, Small Projects will be those with a funding request total of \$50,000 to \$250,000, for which the total amount of available funding under this grant opportunity will be capped at approximately \$2,000,000. Those projects with a funding request total of more than \$250,000 will be considered Large Projects. This is detailed further in Section 8, Method of Award, of this RFA.

f) Bid Limit

Bidders may submit up to two (2) bids for this grant round for parcels they intend to hold. A bidder may exceed two (2) bids per round only if, in the additional bid(s), the bidder identifies a Post Acquisition Landowner, defined in Section 2, Eligible Bidders, to whom they intend to convey the acquired parcel after closing.

g) Project Location and Condition

Eligible parcel(s) must be wholly within the State of New York. This grant encourages the acquisition of all sizes and types of properties from landowners willing to sell their land to municipalities or not for profit organizations. From small parcels in densely populated areas to larger parcels in suburban or rural areas, there is no minimum acreage in this grant. Nor is there a requirement for the quality of the existing land cover of potential projects, recognizing that parcels impacted by prior land use, invasive species, and/or other human, climate, or biological challenges may be important to communities for resiliency, connectivity, access, and other open space purposes and priorities. Parcel locations may be visited at the discretion of the DEC prior to award. DEC reserves the right to adjust project ranking in order to achieve geographic diversity of projects and to include projects partly or wholly within Disadvantaged Communities.

h) Site Preparation / Cleanup

Site preparation necessary to ready the property for its intended open space conservation purpose and future use is an eligible activity, post-closing, provided that costs are less than \$100,000 per project and can be accomplished within the three-year contract term. This can include preparing land for public access. Costs may include but are not limited to removal of buildings, trash, tires, filling of old dug water wells, or other site cleanup work. Costs may also include establishment of signage and/or parking. Site preparation and cleanup can NOT include remediation of contaminated soil, removal of invasive species, new roads, or trail building. Expenses that exceed the per-project limit or are unanticipated at time of application MAY be considered for future funding by Contingency Award as defined in Section 8 of this RFA.

Bidders should be aware of any permits needed to accomplish site preparation / cleanup and follow all local, State and Federal regulations. Bidders must also plan ahead for work to be completed when weather allows, within the grant contract term.

i) Eligible Project Purposes

Eligible projects must result in acquisition of projects possessing at least one of the seven resources defined in the Bond Act, ECL 58-0101 (10) (<https://www.nysenate.gov/legislation/laws/ENV/58-0101>), through the purchase of the absolute fee title.

Those seven resources are defined as follows: "Open space land conservation project" means purchase of fee title for the purpose of protecting lands or waters and/or providing recreational opportunities for the public that (1) possess ecological, habitat, recreational or scenic values; (2) protect the quality of a drinking water supply; (3) provide flood control or flood mitigation values; 4) constitute a floodplain; (5) provide or have the potential to provide important habitat connectivity; (6) provide open space for the use and enjoyment of the public; or (7) provide community gardens in urban areas".

In addition, eligible projects must align with a priority project area or conservation goal in the 2016 New York State Open Space Conservation Plan (Plan), available at <https://dec.ny.gov/nature/open-space/2016-open-space-conservation-plan>, successor plans and/or meet the following criteria identified as "New York's Open Space Conservation Goals":

- To provide access to quality outdoor recreation and open space to all New Yorkers;
- To protect, improve and expand habitat for the diversity of plant and animal species to ensure the protection of healthy, viable, and sustainable ecosystems;
- To improve quality of life and overall health in communities, especially those with limited current access to open space;
- To address global climate change by sustainable stewardship of forests for climate mitigation and adaptation;
- To address global climate change by adding to the tree canopy in urban centers and urban communities to moderate temperature fluctuations, thereby lowering energy consumption.
- To maintain an interconnected network of protected lands and waters enabling flora and fauna to adapt to climate change;
- To improve quality of life with targeted green infrastructure that restores environmental benefits of open space, aesthetics, clean air, water, soil, and access to nature in disadvantaged communities that have suffered an excessive, unfair share of environmental degradation.

- To protect water quality, including surface and underground drinking water supplies, lakes, streams, and coastal and estuarine waters needed to sustain human life and aquatic ecosystems;
- To maintain critical natural resource-based industries such as farming, forest products, fishing, and tourism;
- To address global climate change by sustainable stewardship of forests for climate mitigation and adaptation;
- To address climate change by protecting coastlines, broad riparian corridors, and wetlands;
- To protect habitat to sustain the traditional pastimes of hunting, fishing, trapping, and wildlife viewing;
- To provide places available to all New Yorkers for education and research relating to ecological, environmental, and cultural resources;
- To protect and enhance scenic, historic, and cultural resources considered to be valued parts of the common heritage of residents where such projects have a direct nexus to open space preservation, land conservation, and/or recreation;
- To strategically preserve, restore, and/or create a matrix of natural systems sufficiently complex and interconnected to be self-sustaining while performing the critical natural functions necessary to sustain life;
- To identify, sustain, and rebuild natural lands, features, and systems that prevent or buffer impacts to life and property from extreme weather events; and/or
- support “Actions” identified in the current Plan in association with:
 - promoting outdoor recreation;
 - addressing climate change;
 - ensuring clean water, air, and land for a healthy public and a vibrant economy; and/or
 - protecting, utilizing, and conserving the State’s natural resources and cultural heritage.

j) Other Eligible Project Requirements

Projects must meet the eligibility requirements as set forth in Section 7, Bid Evaluation, Scoring and Selection within this Request for Applications. In addition to these requirements, the following minimum criteria apply to all projects:

- Parcel(s) must be Fee Simple Absolute title.
- Bidder must provide a letter of interest demonstrating that the current owner(s) of the project in the application are willing seller(s).
- Bid must be for a specific parcel or parcels, not areas of interest.
- Bidder in the RFA must be the intended holder of the project acquired in fee, unless a Post-Acquisition Landowner is identified in the Bid.
- Acquisition must be governed by one sales contract with a single owner entity.
- Project must include public access unless the intended parcel is of a high conservation value that is critical for resiliency, habitat, biodiversity, tribal or cultural resource use, or other permanent protection that may or may not accommodate unrestricted access. Bidders should give full details in their Project Summary in SFS Grants Management.
- Parcel(s) must be delivered free and clear of any liens or mortgages. All mortgages and liens against the property must be satisfied prior to or at closing.

- Projects with pre-existing improvements including but not limited to buildings, barns, pavilions, bridges, roads, trails, or parking areas are eligible, and will be evaluated per the Scoring Criteria, “Readiness for Intended Use”. Scoring may be affected by the degree, estimated cost and feasibility of proposed work necessary to accommodate the open space purpose, public safety and initial public access.

k) Not Eligible

The following projects are NOT eligible under this RFA Round 1:

- Acquisition of Conservation Easements
- Lands that would remain subject to an existing conservation easement post-closing (regardless of its duration).
- Lands under ownership of the bidder or other public or municipal ownership subject to Park Alienation.
- Acreage that is subject to existing leases, easements, or options, including wind, solar, timber, and cellular, or any other agreement (regardless of its duration).
- Oil, Gas and Mineral rights – Parcels subject to inactive mineral reservations may exist on an eligible project subject to Department review. Bidders should give full details in the Project Summary question.

As referenced herein, “lands subject to” and “acreage subject to” refers to any portion of the land to be protected by a proposed project that is unreasonably encumbered by an easement, option, or lease. Unencumbered portions of lands under the same ownership may be eligible.

2. Eligible Bidders

Bidders must possess the knowledge, skills, and /or track record to successfully implement the project and need to demonstrate ability to own and manage the property for its intended use. For the purposes of this grant program, the following entities are considered eligible Bidders:

- a) Municipalities, as defined in subdivision 58-0101(8), include:
 - i. a local public authority or public benefit corporation;
 - ii. a county, city, town, village, school district, supervisory district, district corporation, improvement district within a county, city, town or village; or,
 - iii. Indian Nation or Tribe recognized by the state or the United States with a reservation wholly or partly within the boundaries of New York State, or any combination thereof.
- b) Not-for-profit (NFP) corporations, as defined in 49-0303(8)2, include any not-for-profit corporation organized inter alia for the conservation or preservation of real property and which has the power to acquire interests in real property. Such organization must have qualified as exempt for federal tax purposes pursuant to Section 501 (c)(3) of the internal revenue code or any similar successor statutory provision.

An eligible NFP Bidder for the purposes of this grant opportunity is an organization that:

- Cannot have its charter revoked or otherwise be dissolved through the action of another organization; and

- Is able to enter into legal agreements independent of any affiliated nonprofit organization, government body, university or other entity that would be ineligible to apply for this grant.
- Is subject to New York State's Not-For-Profit Corporation Law, is incorporated in New York State and is current in their charities reporting requirements with the Office of the Attorney General.

Multi-Partner and Inter-Municipal Projects

If a proposed project involves a cooperative agreement or partners, only one eligible, designated lead Bidder can submit the bid for grant funding. The lead Bidder must assume the responsibility for the RFA and perform work consistent with this RFA and the State of New York Master Contract for Grants. A letter of commitment substantiating the collaboration from each partner is required. These letters are to be uploaded to the SFS Grants Management system in a single PDF under eligibility question 3. Bidder Type. Potential partnership scenarios anticipated under this RFA include:

a) Post-Acquisition Landowner

In some cases, the Bidder may not intend to be the long-term landholder, responsible for stewardship of the protected open space. In such cases, the long-term landholder of the fee property (Post-Acquisition Landowner) must be identified. The Post-Acquisition Landowner must conform to the definition of an eligible bidder detailed above and, in providing its letter of commitment, must demonstrate eligibility and communicate the intent for long term ownership and support of the bid. The role of the Post-Acquisition Landowner must be fully described in the bidder's responses to scoring criteria. After receiving a grant award, the Bidder will:

- Execute a formal, finalized agreement, (such as memoranda of understanding [MOU]), intermunicipal agreement, or cooperative agreement) with the Post-Acquisition Landowner. Awards involving a partnership agreement will not be moved to contract execution until the formal agreement is executed and a copy received by DEC.
- Transfer the land via closing or soon after closing, **at no additional cost**, to the Post-Acquisition Landowner, or
- Assume the long-term ownership role described in the Bid and Notice of Grant, including Department review and approval of any potential future transfer of land.

b) Project Partner

In some cases, the Bidder will be the long-term landholder but does not have the capacity to complete all tasks associated with developing the Bid, administering the grant project, and/or coordinating the land acquisition transaction. In such cases, the Bidder may identify a Project Partner entity that will assist the bidder in moving the project through completion of grant deliverables at no additional cost. A Project Partner is required to conform to the definition of an eligible bidder detailed above. In providing its letter of commitment, a Project Partner must demonstrate eligibility and communicate its intent and organizational capacity to assist the Bidder with grant administration and/or land acquisition. The Project Partner role must be fully described in the bidder's responses to scoring criteria. Project Partners should be aware of the following:

- Partners must execute a formal, finalized agreement, (such as memoranda of understanding [MOU]), intermunicipal agreement, or cooperative agreement), executed by all parties. Awards involving a partnership agreement will not be

moved to contract execution until the formal agreement is executed and a copy received by DEC.

- With no match requirement, there is no need to report partner in-kind services.
- Costs that are ineligible expenditures for the Bidder (staff time, travel, indirect, etc.) are also not eligible project partner expenditures.
- A supportive role in the SFS Grants Management system will allow a project partner to develop content within the system, however all approvals and submittals must be executed by the Bidder.

3.== Inquiries & Designated Contact Information

Instructions on how to submit a bid in the SFS Grants Management are in Section 4, Bidder Submission (see below).

For general information on completing this bid and for clarification of bid requirements, contractual terms and procedures, contact:

NYS DEC Division of Lands & Forests
Email: dlfgrants@dec.ny.gov

Include “Open Space Conservation Grant Program” in the subject line of the email.

Questions regarding this grant opportunity will be accepted by DEC until 3:00 p.m. Monday, February 16, 2026. All questions, and answers, will be uploaded in the SFS Grants Management bid for all bidders to view.

For technical information regarding the Grants Management Bid Event, direct questions to:

NYS SFS Grants Management
Email: helpdesk@sfs.ny.gov
Phone: 855-233-8363 toll-free | 518-457-7717

4.== Bid Submission

Bids must be submitted through the NYS SFS Grants Management System via <https://grantsmanagement.ny.gov>. Using **Google Chrome** to access the SFS Grants Management System (GM) is recommended. Using other browsers may cause errors.

If you do not have access to the SFS Vendor Portal and if your organization is already established within the SFS Vendor portal, an SFS Delegated Administrator has been authorized within your organization to provision user login credentials, unlock accounts, or reset passwords. Please reach out to your SFS Delegated Administrator directly.

Also, if you do not have a login and if you are new to the SFS Vendor portal and would like to establish an account for the purposes of doing business with the State of New York, contact the SFS Help Desk at 518-457-7717, 855-233-8363 or HelpDesk@sfs.ny.gov for more information.

The NYS SFS Grants Management system offers a Vendor User Manual, training videos and webinars for bidders requiring assistance. Please log in to SFS and click the tile SFS Coach for training manuals.

Paper bids will NOT be accepted. Bidders are strongly encouraged to submit their bids prior to the bid deadline. Late bids will not be accepted. Please note staff with a Bid Response Initiator role can begin a bid, but only staff with the Bid Response Submitter role can submit the bid response.

Bidder Registration

All Bidders must be Registered with SFS Grants Management to apply. [Register Your Organization in SFS | Grants Management](#)

Bidder Prequalification

In addition to registration, not-for-profits must also be Prequalified at the time and date that the application is due. If you are not Prequalified at that time and date, your application will not be considered.

Indian Nation Guidance: Organizations that register as Tribal Organizations are not required to prequalify, only to register. The registration form has 5 options – Tribal, Government Entity, Not For Profit, Individual, and For Profit – Indian Nations should check Tribal to avoid Pre-Qualification requirements. SFS does not verify at the time of registration if an organization is Tribal or not. SFS processes the registration based on the documentation submitted by the organization.

If an organization registers in SFS as a not-for-profit organization, even though they may be a Tribal organization, then they are required to prequalify, which means they must upload charities accounting, organizational information, and tax forms etc. It may be determined during a prequalification review that they do not fit the requirements as an NFP. Tribal organizations that are currently registered as Not-for-Profits can contact the SFS Help Desk, say they are a tribal organization, and they will be routed to the correct team to change them to a registered status. Email HelpDesk@sfs.ny.gov.

PLEASE DO NOT DELAY IN BEGINNING AND COMPLETING THE PREQUALIFICATION PROCESS. Immediately visit the grants management prequalification page at <https://grantsmanagement.ny.gov/get-prequalified> to get started.

THE STATE RESERVES 5 DAYS TO REVIEW SUBMITTED PREQUALIFICATION APPLICATIONS. Prequalification applications submitted to the state for review less than 5 days prior to the Open Space Conservation Grant Program application due date may not be considered.

BIDDERS SHOULD NOT ASSUME THAT THEIR PREQUALIFICATION INFORMATION WILL BE REVIEWED IF THEY DO NOT ADHERE TO THIS TIMEFRAME.

Pursuant to the New York State Division of Budget Bulletin H-1032 Revised, effective July 16, 2014, New York State has instituted key reform initiatives to the grant contract. Information on these initiatives can be found on the Grants Management Website.

All Bidders must be Prequalified in the SFS Grants Management System at the time and date that the bid is due. Bids from non-prequalified entities will be rejected. The system will not allow you to submit your bid.

The SFS Handbook: SFS Training for Vendors guide is available on SFS Coach and includes guidance for prequalification. Additional training is available on SFS Coach.

If you are not familiar with SFS Grants Management, there are many resources available to help you register and become Prequalified on the NYS Grants Management Website including:

- Video tutorials on Grants Management Registration or Prequalification
- SFS Handbook: SFS Training for Vendors includes walkthroughs for the Bid process

5. Grant Opportunity General Information and Conditions

a) Grant Bid Requirements and Conditions

The Bidder must upload completed copies of the following items to the SFS Grants Management system. Uploads will be prompted by eligibility questions in the bid document. A checklist of required items to be submitted with the bid can also be found in Appendix B.

1. **Map of the property** -- A map should be uploaded in a single PDF file and should be clearly labeled and/or referenced in a way to make it easy for bid reviewers to identify the project site(s) and acreage. (See Section 7, Bid Evaluation, Scoring and Selection, Project Summary and Detailed Description question, for more information on what should be included on a property map).
2. **Copy of deed from the current landowner**
3. **Current school and town/county tax bills from the landowner**
4. **Written estimate of market value** -- Only estimates of market value from real estate professionals are required as a part of this bid; full appraisals do not need to be completed until post-award, before closing; however full appraisals will meet this requirement if available and 5 extra points will be given in Cost Effectiveness question 1 if uploaded. Please note if an appraisal is provided at the time of bid, another appraisal may need to be submitted prior to closing to adhere to appraisal standards and/or if closing occurs more than 1 year after the appraisal date. Bidders must provide an estimate on the agent's letterhead and include the printed name of the agent as well as their signature.
5. **Municipal Resolution or Statement of Intent** -- Municipalities must provide a municipal resolution and Not-for-profits (land trusts) and quasi government entities must provide a statement of intent, stating the intention to purchase the property (fee title) at the time of application. The letter will also address an understanding of the Performance-based budget and the three-year contract term. An example municipal resolution/statement of intent can be found in Appendix C at the end of this RFA.
6. **Landowner Agreement Letter** -- Bidders will be required to provide written agreement or letter between the landowner (willing seller) and the Bidder, demonstrating a willing intent of the landowner to sell the lands. The letter of agreement must be signed and dated by both parties, showing address of landowner. Note: a contract of sale will not be

accepted in place of a letter of agreement. See Appendix D for a Sample Landowner agreement letter.

7. **Partner Letter of Commitment** – For multi-partner and inter-municipal projects, the partner entity (Post-Acquisition Landowner or Project Partner) must provide a letter of commitment, as described in Section 2, Eligible Bidders.

b) Performance-based Budget

Grantees will receive payments based on successful performance of standardized steps in the land acquisition process. Immediate submittal of receipts will not be needed to receive payment; this is not a reimbursement grant. Estimates for all work will be needed and will be used to establish the value of each performance deliverable in the Performance-based Budget. This is a new feature for DEC grants and is not used in all grant opportunities. Please refer to Section 9, Grant Program Payment for details of which acquisition costs will be required and when.

Financial Workbook – An Excel workbook has been provided to assist bidders with the budget. Please download/save a copy of the required Financial Workbook from the Events, Attachments, Comments tab and fill it outside the system for upload when complete.

Part 1: Financial Worksheet – The first part of the workbook is the Financial Worksheet which must be filled in with estimated costs for eligible expenditures. Complete all applicable fields with estimated amounts per budget item.

- An example, with amounts entered for a “sample project”, has been included as the third sheet in the Excel workbook.
- A sample PDF image of the Financial Worksheet is provided in Appendix A of this RFA.
- The Worksheet will automatically add a 10% buffer to all non-land expense estimates for all bidders. This buffer will be held until the final payment and only used if unforeseen expenses become apparent during project implementation.

Part 2: Performance Based Budget Instructions – The second part of the workbook provides the instructions, including specific amounts per Budget Category, for your entry into SFS. Once estimated costs are listed in the first sheet of the workbook, the second sheet in the workbook will auto populate to break down which Interim Payments will include which item amounts (appraisal, legal fees, survey etc.). The auto-populated totals must then be entered into the SFSGM Budget Properties section of the Bid.

SFS Entries

1. Performance Based Budget – Enter values from part 2 of the workbook into the Budget Properties section of your Bid in SFS using the instructions included in workbook part 2. These instructions are also provided in Appendix A, Part 2: Performance Based Budget Instructions, in this RFA.
2. Workbook Upload – After completing the Financial Worksheet fully, it is required to upload the excel sheet to the Eligibility question #8 Financial Worksheet.
3. Estimates/Quotes Upload – Written estimates that are the basis for your budget should be uploaded under Scoring questions #26 & #27 for Reasonableness of Costs. Any narrative that helps explain these costs and their valuation should be provided in response to these scoring questions.

Budget Categories

- **Interim Payment 1** -- is paid to the grantee once the Master Contract for Grants is executed based on the estimated amount in SFS GM Performance Based Budget for the Preliminary Review Package requirements. It is based on the costs of the title report, curative letter and 50% of the State contribution towards the grantee's estimated legal fees. The total time for this portion of the grant is approximately 3 to 6 months
- **Interim Payment 2** – is paid once the Interim Payment 1 has been accounted for by the grantee. The payment is based on estimates of most of the Pre-Closing requirement costs and the balance of estimated legal fees. The total time for this portion of the grant is approximately 6 to 12 months.
- **Interim Payment 3** – is paid once all eligible acquisition costs and accounting for Interim Payment 2 are completed. This payment is based on reconciliation of actual pre-closing expenses, reimbursement of remaining Pre-Closing requirements costs and disbursement of the land fee acquisition price. 10% or \$10,000 (whichever is less) of the land cost will be held as retainage until after closing. The total time for this portion of the grant is 3 to 6 months.
- **Interim Payment 4** – is paid after the closing has taken place and final documentation is approved by the Department. This payment is based on estimated site preparation / cleanup expenses, if applicable. At minimum, this will include the cost of required signage on-site that identifies the site as a Bond Act Funded project, per section 12. L. of this RFA. A portion of site preparation / cleanup cost will be withheld as retainage (amount to be enumerated at the Department's discretion) to be released upon project completion. Final reconciliation of site preparation / cleanup expenses will allow for retainage to be released. The time for this portion of the grant, if applicable, is up to 9 months.
- **Final Payment** – Final acquisition cost and post-closing costs are paid after the closing has taken place and final documentation is approved by the Department. This payment is for the retainage of the land cost (10% or \$10,000), and recording fees. Any unanticipated expenses will be covered by the buffer amount with this payment as well. The total time for this portion of the grant is 1-3 months

Budget categories and one deliverable Type/Description per category have been pre-filled in SFS. Bidders should use the pre-filled categories and deliverable type/descriptions to enter their amounts for Grant Funds and, if applicable, Other Funds.

Project cost-effectiveness will account for at least 20% of a bid score as identified in the evaluation criteria section of this RFA. See section 7, Bid Evaluation, Scoring and Selection, Step 2, Project Scoring Evaluation. The budget narrative does not need to be filled within the Budget Properties section of your Bid. However, responses and narrative regarding the breakdown of costs included in the Financial Worksheet for each budget item should be provided in response to Scoring questions 26 & 27 Reasonableness of Costs. Eligible and ineligible costs are identified in section 10 of this RFA and should be reviewed prior to entry in the Financial Worksheet.

c) Work Plan

Work Plan Summary - in this section of the SFS GM project objectives, tasks and performance measures associated with each task are pre-defined for the Bidder in SFS GM and no action is necessary. Bidders will be able to see the pre-populated Work Plan Summary in SFS.

d) Disadvantaged Community

A disadvantaged community is one that bears the burden of negative public health effects, environmental pollution and climate change impacts, and possesses certain socioeconomic criteria or comprises high concentrations of low-and moderate-income households. Disadvantaged community maps have been developed under the 2019 NYS Climate Act and are to be referenced to determine if the bidder's project location meets these criteria. To reference these maps, use the DEC info Locator or the maps presented by NYSERDA at <https://www.nyserda.ny.gov/ny/disadvantaged-communities>. Disadvantaged communities, or those projects that support Disadvantaged Communities, will receive extra points in this grant opportunity.

Further information and instruction are given in Section 7, Bid Evaluation, Scoring and Selection.

e) Debriefing Request

In accordance with section 163 of the NY State Finance Law, DEC must, upon request, provide a debriefing to any unsuccessful applicant that responded to the Program Overview, regarding the reasons that the proposal or bid submitted by the unsuccessful offeror was not selected for an award. An unsuccessful offeror wanting a debriefing must request a debriefing in writing, within fifteen calendar days of receipt of the notice that their proposal did not result in an award.

Debriefings requested after fifteen calendar days may be denied.

f) Protest Procedure

DEC does not have a formal protest procedure; therefore, a bidder may file an initial protest with OSC's Bureau of Contracts (BOC) after DEC has made a contract award. The protest must be in writing and filed with BOC within ten business days of notice of the contract award or if a debriefing has been requested by the interested party, within five business days of the debriefing (whichever is later). If the interested party is not provided with notice of the contract award, the interested party may file a protest with BOC at any time after the contract award and prior to the Comptroller's final action on the contract.

Formal protests concerning a pending contract award must be received within five (5) business days after the protesting party knows or should have known of the facts that constitute the basis of the formal protest.

The protest must be filed with:

Bureau Director
at bidprotests@osc.ny.gov or
Bureau of Contracts
New York State Office of the State Comptroller
110 State Street, 11th Floor.
Albany, NY 12236

g) Department of Environmental Conservation Oversight

DEC reserves the right to:

- Award additional and available funding for scored and ranked projects consistent with this grant opportunity.
- Award an agreement for any or all parts of the RFA in accordance with the method of award or withdraw the RFA at any time at DEC's sole discretion.
-
- Award geographically specific or project specific funding for scored and ranked projects consistent with this grant opportunity.
- Consider regional distribution in the determination of awards and funding allocations, to the extent practicable
- Award only one bid for funding in the event there are multiple bid submissions for a single project or for pieces of a single project.
- Award to the next highest scoring bid in the event bidder fails to negotiate a grant contract with DEC within 60 days of a grant award.
- Monitor the progress of all grant awards and withdraw grant funding if the bidder fails to make significant and timely progress on the project or fails to receive the necessary permissions and permits for the project.
- Decline to fund projects that are determined not to be consistent with NYS's Smart Growth Public Infrastructure Policy Act.
- Decline to fund projects that are determined to be inconsistent with the Climate Leadership and Community Protection Act or its implementing regulations.
- Reject any or all bids in response to the RFA at the agency's sole discretion.
- Reach out to bidders for clarification during the review process.

h) Sexual Harassment Prevention Certification

State Finance Law §139-I requires all bidders of grant funding to certify that they have a written policy addressing sexual harassment prevention in the workplace and provide annual sexual harassment training (that meets the Department of Labor's model policy and training standards) to all its employees.

Where applying for grant funding is required pursuant to statute, rule or regulation, every bid submitted to the state or any public department or agency of the state must contain the following statement: "By submission of this bid, each bidder and each person signing on behalf of the bidder certifies, and in the case of a partnering bid each party thereto certifies as to its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one g of the labor law."

Bids that do not contain the certification will not be considered for award; provided however, that if the bidder cannot make the certification, the bidder may provide a signed statement with their bid detailing the reasons why the certification cannot be made. After review and consideration of such statement, DEC may reject the bid or may decide there are sufficient reasons to accept the bid without such certification.

Bidders are required to sign and upload the Sexual Harassment Prevention Certification form or upload a signed statement with their bid detailing the reasons why the certification cannot be provided. The certification form or statement must be signed by an authorized staff of the contractor, and dated after the application start date.

i) Executive Order 16

Executive Order No. 16 provides that “all Affected State Entities are directed to refrain from entering into any new contract or renewing any existing contract with an entity conducting business operations in Russia.” The complete text of Executive Order No. 16 can be found at <https://www.governor.ny.gov/executive-order/no-16-prohibiting-state-agencies-and-authorities-contracting-businesses-conducting>. The Executive Order remains in effect while sanctions against Russia imposed by the federal government are in effect. Accordingly, vendors who may be excluded from award because of current business operations in Russia are nevertheless encouraged to respond to solicitations to preserve their contracting opportunities in case the sanctions are lifted during a solicitation or even after award in the case of some solicitations. As defined in Executive Order No. 16, an “entity conducting business operations in Russia” means an institution or company, wherever located, conducting any commercial activity in Russia or transacting business with the Russian Government or with commercial entities headquartered in Russia or with their principal place of business in Russia in the form of contracting, sales, purchasing, investment, or any business partnership. Vendors responding to this solicitation are required to complete and submit the form entitled “Certification Under Executive Order No. 16 Prohibiting State Agencies and Authorities from Contracting with Businesses Conducting Business in Russia”.

ALL bidders must download, complete, and save the Executive Order No. 16 Certification form, prior to uploading the completed form back into the GM. The certification form must be signed by an authorized staff of the contractor, and dated after the application start date.

j) Gender Based Violence and the Workplace Certification

State Finance Law §139-m requires bidders on state procurements to certify that they have a written policy addressing gender-based violence and the workplace and have provided such policy to all of its employees, directors and board members. Such policy shall, at a minimum, meet the requirements of subdivision 11 of section five hundred seventy-five of the executive law.

Where competitive bidding is required pursuant to statute, rule or regulation, for work or services performed or to be performed or goods sold or to be sold, every bid made to the state or any public department or agency of the state must contain the following statement:

“By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing gender-based violence and the workplace and has provided such policy to all of its employees, directors and board members. Such policy shall, at a minimum, meet the requirements of subdivision 11 of section five hundred seventy-five of the executive law.”

Bids that do not contain the certification will not be considered for award; provided however, that if the bidder cannot make the certification, the bidder shall provide a signed statement with their bid detailing the reasons why the certification cannot be made. After review and consideration of such statement, the Department may reject the bid or may decide that there are sufficient reasons to accept the bid without such certification.

Bidders are required to sign and submit the Gender-Based Violence and the Workplace Certification form, (Attachment G) If the bidder cannot make the certification, then a signed statement must be submitted with the bid detailing the reasons why the certification cannot be made. The certification

form must be signed by an authorized staff of the contractor, and dated after the application start date.

k) SEQRA and Permits

The bidder is responsible for assuring that any SEQR determinations, permits, approvals, lands, easements, and rights-of way that may be required to carry out the activities of the project are obtained.

l) Local/Community Support

A letter of support is optional but encouraged. Bids with a letter of support from an elected official, government body, municipality, educational institution or other organization with knowledge or expertise related to the proposed project will receive additional points in the evaluation and score process. Support letters from the government body offering the grant, or institutions or organizations who are fiscal sponsors and/or will provide services under the grant, will not be considered and no points will be awarded. Support letters must be uploaded as a single pdf file in the SFS GM by the bid due date.

Letters must be addressed to the bidder/applicant, not to the DEC.

m) Outreach and Education

Although education and outreach will not be a part of eligibility or scoring criteria, outreach activities such as a grant award press release, social media, websites, announcements and community involvement at local meetings, presentations at town board meetings and workshops, newsletters, mailings to residents, and press events will be encouraged and will be coordinated with grantees upon establishment of the Master Contract for Grants (MCG). Typically, at least three education and outreach activities will be encouraged as a condition of contract, and these activities will be reported on in progress reports.

n) Historic Preservation Review Requirements

For projects that involve properties listed on the State or National Registers of Historic Places, all work undertaken as part of a grant-assisted project must conform to the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation.

Questions about or proposals for listing on the State or National Register should be directed to the OPRHP National Register Unit at (518) 237-8643. To ensure the public benefit from the investment of state funding, preservation covenants or conservation easements will be conveyed to the State (OPRHP) for all historic property grants.

o) Coastal Consistency Requirements

SEQR Type I and Unlisted actions located within the NYS Department of State's coastal zone boundaries must meet the consistency requirements of the Secretary of State's Coastal Management Program. This consistency determination will be performed by DEC as part of the grant review process. If the proposed project is located within a municipality that has an approved Local Waterfront Revitalization Plan (LWRP), the policies of that LWRP apply. Projects in other areas will need to be consistent with the State's 44 coastal policies. The coastal policies can be found at https://dos.ny.gov/system/files/documents/2020/02/coastal_policies.pdf. Bidders are

encouraged to determine if their project is located within the coastal zone, and to include in their site plan or sketch map their project's location within the coastal zone boundaries if applicable. Maps of the coastal zone boundaries can be found at <https://dos.ny.gov/coastal-consistency-review>.

6. Grant Program Post-Award Requirements

As a part of the open space conservation land acquisition through this grant, grantees must obtain an appraisal, survey, title report, title commitment, title insurance, and Phase I environmental assessment reports. Grantees must also incorporate provisions into the deed language prior to final closing. DEC will review and approve the survey, assessment, appraisal, and deed language as received. All the items listed in this section are required project deliverables and will need to be approved by DEC before releasing a post-closing payment.

Interim Payment #1 Disbursement

a) Preliminary Review Package:

Timeline: Deliverables are expected 3 to 6 months from Contract start date.

1. **Title report plus title curatives letter** – from Bidder attorney explaining how a clear title will be ensured for the proposed project. Title to lands acquired through this grant must not be subject to encumbrances, agreements, or encroachments of any kind that would be contrary to the purpose of the grant program. DEC will review the title commitment for exceptions to coverage.
2. **Optional: Existing survey** – if one is available, please include with Title Report.

Interim Payment #2 Disbursement

b) Pre-Closing Requirements:

Timeline: Deliverables are expected 12 to 24 months from Contract start date. Expected time to complete is 9-18 months.

All documents referencing a Grantee award should reference the DEC post-award contract number, in the format C#####G, not the SFS GM application or bid number.

1. **Appraisal** – Appraisals are required for all properties. Appraisals must be completed by a New York State certified general appraiser following the Uniform Standards of Professional Appraisal Practice (USPAP) and submitted as non-restricted narrative appraisal reports. Further:
 - Appraisals must list both NYSDEC, awarded contract number, and the grantee as intended users.
 - Two appraisals are required if the state's contribution to the land exceeds \$500,000 and exceeds 75% of the purchase price.

- Appraisal report should be completed within 1 year prior to the execution of the land purchase contract.
 - The municipality and project partners may not provide any direction, guidance, or suggested valuation of the property to an appraiser for appraisal of the property.
 - Valuation may not be contingent upon the reporting of a predetermined value or result, a direction in value that favors the cause of the municipality, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
 - No consideration may be given to personal property located at the property.
 - Appraisers must have no interest in the property, present or contemplated, and neither employment nor the fee may be contingent upon the value opinion reported.
 - No Hypothetical Conditions may be invoked in the appraisal. See Appendix F
2. **Survey** – A boundary survey is required for all properties. Surveys must be completed by a professional land surveyor and follow the [Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors](#) and submitted to DEC for review. Survey maps must be certified to the NYS Department of Environmental Conservation and the purchaser's title company and contain a title block template provided by DEC. Survey maps must be recorded in the County Clerk's office and recording info must be included in the Schedule A of the deed. See Appendix G.
 3. **Draft deed** – The draft deed is associated with the proposed project, provided each such draft is an updated, red-lined version of the document.
 4. **Certification of title curatives** – In addition, the Bidder attorney should provide:
 - Copies of any attachments referenced in the certification
 - Copies of all proposed title curatives
 - A copy of the cover sheet of commitment for title insurance indicating the amount of proposed coverage.
 5. **Phase I environmental assessment reports** – Phase I environmental assessment reports are required for all properties and must be completed by a qualified consultant.
 6. **Real property sales contract copy** – A copy of the real property sales contract substantially in its final form must be supplied to DEC for review and approval before it is signed by the Grantee.

Interim Payment #3 Disbursement

7. **Final pre closing deed** – The final pre closing deed is reviewed and approved by DEC prior to execution and closing. No further changes considered without DEC approval.

c) **Post-Closing Requirements:**

Timeline: Deliverables are expected 13 to 27 months from Contract start date. Expected time to complete is one to three months.

1. **Closing Statement**
2. **Final title insurance policy**
3. **Recorded deed and recording page**
4. **Executed notice of grant agreement (NOGA):** The grant language must be included in the body of the deed referencing the attached notice of grant exhibit. DEC will provide this document to bidder to review when the MCG is first executed, but no further action is needed until the contract closing. The bidder will need to complete and execute the NOGA at closing. This notice of grant language will provide long term protection of the property for the purpose of open space conservation. See Appendix E.

Interim Payment #4 Disbursement (if applicable)

d) Site Preparation / Cleanup:

Timeline: Deliverables are expected 22 to 36 months from Contract start date. Expected time to complete is 9 months.

1. **Site preparation / cleanup deliverables described in bidder's Project Summary:** Completion of any applicable site preparation / cleanup deliverables and submittal of cost documentation. At minimum, this will include the cost of required signage on-site that identifies the site as a Bond Act Funded project, per section 12. L. of this RFA.

Final Payment Disbursement

7. Bid Evaluation, Scoring and Selection

All bids will be reviewed and scored by a review team in accordance with the evaluation and scoring criteria contained in this RFA. Bidders are strongly encouraged to read and address the Bid Review and Scoring Standards in the process of developing a bid. Knowledge of the scoring criteria is valuable for designing and proposing a relevant and quality project. Scoring consists of:

Step 1: Bid and Project Eligibility Determination

Pass/Fail criteria – Bidders should carefully review the pass/fail eligibility criteria, evaluation criteria, and the checklist in Appendix B contained in this RFA to avoid application disqualification.

Be sure to upload all documents for eligibility into the question it relates to in SFS Grants Management (GM).

1. Project Overview	Pass/Fail
Does the bidder provide the project overview and include name of landowner, location, acreage, intent to hold the land, and the open space conservation purpose of the project?	Pass=Yes; Fail=No
2. Project Type	Pass/Fail
Does the project involve the acquisition of land (a specific parcel or parcels) in fee simple title (no other/limited areas of interest, including conservation easement) for natural resource protection and public access (unless a legitimate reason is provided to restrict access)?	Pass=Yes; Fail=No
3. Bidder Type	Pass/Fail
Is the bidder an eligible municipality (includes Indian Nations or Tribes), quasi government entity or not-for profit organization? For multi-partner and inter-municipal projects, does the partner entity (Post-Acquisition Landowner or Project Partner) also conform to the definition of an eligible applicant and has the partner entity provided a letter of commitment, conforming to RFA requirements.	Pass=Yes; Fail=No
<i>Instructions:</i> Please state type (see section 2. Eligible Bidders of this RFA for details). In case of multi-partner and inter-municipal projects, upload partner letter of commitment.	
4. Project Location Map	Pass/Fail
Does the bidder upload a map that identifies the project area and acreage?	
<i>Instructions:</i> Upload a map under Section 2. PROJECT SCORING EVALUATION in question 22 Project Summary and Detailed Description. Upload a map for question 22 as a response for this question.	Pass=Yes; Fail=No
5. Deed Copy	Pass/Fail
Does the bidder provide a copy of the deed(s) from the current landowner, demonstrating that the land is not owned by the Bidder or a municipal owner?	Pass=Yes; Fail=No
<i>Instructions:</i> Upload a copy of the seller's deed(s) in one.pdf, at this question in SFS GM.	
6. Current School and Town/County Tax Bill(s)	Pass/Fail
Has the bidder uploaded include a copy of the current school and town/county tax bill(s) for the proposed acquisition?	Pass=Yes; Fail=No
<i>Instructions:</i> Upload the current tax bills in a single .pdf, at this question in SFS GM	

<p>7. Estimate of Market Value</p> <p>Does the bidder provide a written estimate of market value from a real estate professional?</p> <p><i>Instructions:</i> Upload estimate in a single .pdf, at this question in SFS GM. Note: 5 extra points will be given under Step 2 Project Scoring Evaluation question 26 for a full appraisal.</p>	<p>Pass/Fail</p> <p>Pass=Yes; Fail=No</p>
<p>8. Financial Worksheet</p> <p>Has the bidder uploaded a financial worksheet?</p> <p><i>Instructions:</i> See the financial worksheet in the Events, Attachments, Comments tab. Save the document and complete. Inserted amounts will then populate to a following sheet in the workbook. This data can be added to the Budget Summary page in SFS GM, or in this RFA, Appendix H. Upload financial Worksheet at this question.</p>	<p>Pass/Fail</p> <p>Pass=Yes; Fail=No</p>
<p>9. Mortgage / Lien Disclosure</p> <p>Has the bidder provided a copy of all existing mortgages / liens on the property, demonstrating that the estimate of market value is greater than the value of all mortgages / liens on the property?</p> <p><i>Instructions:</i> Upload the current mortgages/liens in a single .pdf, at this question in SFS GM. If there is no mortgage/lien on the property, please answer N/A.</p>	<p>Pass/Fail</p> <p>Pass=Yes/N/A; Fail=No</p>
<p>10. Property Interest Attestation</p> <p>Does the bidder attest that there are no other known additional interests or encumbrances on the property such as reservations of mineral rights, options, leases, contracts, or life estates that may be counter to use of the property for the stated purposes of this grant?</p> <p>Additional interests that are counter to use of the property for this grant include any acreage within a project subject to existing wind, solar, timber, or cellular leases, easements, or options.</p>	<p>Pass/Fail</p> <p>Pass=Yes; Fail=No</p>
<p>11. Open Space Project Eligibility</p> <p>Does the acquisition fall under one of the seven resources defined in ECL 58-0101 (10) (https://www.nysenate.gov/legislation/laws/ENV/58-0101).</p> <p>AND</p> <p>Does the acquisition fall under an Open Space Conservation Plan Priority Project or Area - OR - align with the Open Space Conservation Goals identified in section 1(i) of the RFA.</p> <p>https://dec.ny.gov/news/environmental-notice-bulletin/2024-06-18/public-notice/statewide-eligibility-guidelines-for-open-space-conservation-acquisition-through-the-new-york-state-department-of-environmental-conservation</p> <p><i>Instructions:</i> Identify which of the seven eligible resources and which Open Space Conservation Goal or Open Space priority project or area the acquisition falls under.</p>	<p>Pass/Fail</p> <p>Pass=Yes; Fail=No</p>

For priority project or area, please refer to page 80 in the following link and provide the project name and number in the text box provided, e.g. Region 3/Lower Hudson Valley, Great Rondout Wetlands (26).

https://dec.ny.gov/docs/lands_forests_pdf/osp2016final1.pdf

12. Existing Easement	Pass/Fail
<p>Does anyone other than the bidder hold an Article 49 conservation easement over the subject property. If any other party holds the conservation easement, the project is not eligible.</p>	<p>Pass=No or N/A, Fail=Yes</p>
13. Municipal Resolution, Tribal or Indian Nation Resolution, or Not For Profit Statement of Intent	Pass/Fail
<p>Does the bidder provide a municipal / tribal resolution or a Not-for-Profit statement of intent?</p>	
<p>Municipalities - Does the bidder provide a municipal resolution outlining an understanding of payment details, including land acquisition location, intent to purchase for conservation, intent to retain the property or transfer to a Post-Acquisition Landowner, etc.</p>	
<p>Indian Nations or Tribes - Does the bidder provide a resolution or statement of intent outlining an understanding of payment details, including land acquisition location, intent to purchase for conservation, intent to retain the property or transfer to a Post-Acquisition Landowner, etc.</p>	
<p>Not for Profits – Does the NFP provide a statement of intent (outlining understanding of payment); land acquisition location, NFP intent to purchase for conservation, intent to retain the property or transfer to a Post-Acquisition Landowner etc. NFP’s will also be asked to upload an optional letter of support from the municipality as well as five community support letters – see Question 25 Success Factors.</p>	<p>Pass=Yes; Fail=No</p>
<p><i>Instructions:</i> Upload municipal resolution or statement of intent in a single PDF, in this question in SFS GM. The letter should address an understanding of the Performance-based budget and the three-year contract term. If additional funding outside the grant is also being used, please document in the resolution or letter. An example municipal resolution/statement of intent can be found in Appendix C at the end of this RFA.</p>	
14. Landowner Agreement	Pass/Fail
<p>Does the bidder provide a formal written and signed agreement or letter between the landowner and the bidder, including the landowner/seller’s name and address, demonstrating a willing intent to sell the lands?</p>	
<p><i>Instructions:</i> Upload landowner agreement or letter in a single .pdf, at the question in SFS GM. Note: a contract of sale will <u>not</u> be accepted in place of a landowner agreement or letter of agreement. An example Landowner Agreement is in <u>Appendix D</u>.</p>	<p>Pass=Yes; Fail=No</p>

15. Time Frame	Pass/Fail
----------------	-----------

Does the bidder verify that the applied for project can be completed within three years ?	Pass=Yes; Fail=No
--	----------------------

16. Sexual Harassment Prevention Certificate (Attachment S)	Pass/Fail
---	-----------

Has Bidder signed and uploaded the Sexual Harassment Prevention Certification form or uploaded a signed statement with their application detailing the reasons why the certification cannot be made?

<i>Instructions:</i> Bidders are required to sign and upload the Sexual Harassment Prevention Certification form or upload a signed statement with their application detailing the reasons why the certification cannot be made, into the pre-submission uploads folder. If the bidder has no employees, certify the second section.	Pass=Yes; Fail=No
--	----------------------

Locate the Certification form in Event Comments and Attachments in SFS GM. Upload the signed Sexual Harassment Prevention Certificate or statement at the relevant question in SFS GM

17. Executive Order No. 16 Certification	Pass/Fail
--	-----------

Has Bidder signed and uploaded the Executive Order No. 16 Certification form with their application?

<i>Instructions:</i> Bidders responding to this solicitation are required to complete and submit the form entitled “Certification Under Executive Order No. 16 Prohibiting State Agencies and Authorities from Contracting with Businesses Conducting Business in Russia”, located in SFS GM Event Comments and Attachments. This Order provides that “all Affected State Entities are directed to refrain from entering into any new contract or renewing any existing contract with an entity conducting business operations in Russia.” See the RFA for more information. Upload the form at the relevant question in SFS GM.	Pass=Yes; Fail=No
--	----------------------

VQG. Attachment G	Pass/Fail
-------------------	-----------

Has Bidder signed and uploaded the Gender Based Violence and Workplace Certification form with their bid?

<i>Instructions:</i> Bidders responding to this solicitation are required to complete and submit the form entitled “Gender Based Violence and the Workplace Certification form”.	Pass=Yes; Fail=No
--	----------------------

Step 2: Project Scoring Evaluation

Bids that pass the eligibility pass/fail review will receive a technical and cost evaluation review by a DEC review committee of at least three DEC Open Space Conservation Grant Program representatives using the overall goals as well as the scoring questions in this section.

Reviewer Criteria

Read before answering these questions in SFS GM. See the question that pertains to the reviewer criteria below in the bid form in SFS GM. **Be sure to upload all additional documents for scoring into the question it relates to in SFS GM.** Bids will be evaluated and scored (total points =100) based on the following criteria:

18. Protection of Natural Resources

16 pts

Does the bidder demonstrate that the project is important to the protection of natural resources; specifically, that the project has attributes supporting one or more of the following outcomes:

Water Quality - Protect water quality, including surface and underground drinking water supplies, lakes, streams, and coastal and estuarine waters needed to sustain human life and aquatic ecosystems.

Diverse Habitat - Protect habitat for the diversity of plant and animal species to ensure the protection of healthy, viable, and sustainable ecosystems;

Sustainable Resources - Maintain critical natural resource-based industries such as farming, forest products, fishing, and tourism;

Open Space Connectivity - Strategically preserve, restore, and/or create a matrix of natural systems sufficiently complex and interconnected to be self-sustaining while performing the critical natural functions necessary to sustain life;

Urban Nature - Provide open space land conservation in an area otherwise dominated by the built environment.

Instructions: Bidder should describe the project area, being sure to clearly illustrate assertions (e.g. using maps), including the following:

- What are the project's principal conservation values?
- What is the project size, landscape setting (rural, urban) and the composition of forest, open land, water courses, mountains etc. being protected?
- What is the strategic importance of the project to support landscape-scale, interconnected, properly functioning natural areas.
- Does this property complement existing local & regional (landscape) conservation?
- To what extent does the project fill a gap in, expand, or otherwise complement existing conservation efforts?
- What rare or significant species, habitats or natural features are present (if any)? Reference NY Natural Heritage Program, New York Wildlife Action Plan, species listed as threatened or endangered under the federal Endangered Species Act and/or included on New York State's Endangered, Threatened and Special Concern Species List
- What are the water resources associated with the project & water quality impacts?
- Does the project support natural resource-based industries?

(A) High Importance - Bidder demonstrates that the project is very important to protection of natural resources. EITHER it possesses attributes that contribute to more than one outcome, and those attributes are significant and of high-quality, OR attributes are exceptionally important to one or more outcomes. 16 pts.

(B) Medium-High Importance - Bidder demonstrates that the project possesses attributes that contribute to more than one outcome, OR two or more attributes are significant and of high-quality. 13 pts.

- | | |
|---|---------|
| (C) Medium Importance - Bidder demonstrates that the project possesses attributes that contribute to one outcome, OR one or more attributes are moderately significant. | 10 pts. |
| (D) Low Importance - Bidder demonstrates that the project only provides minimal contribution to natural resource protection outcomes. | 5 pts. |
| (E) Bidder does not demonstrate any contribution by the project to natural resource protection outcomes. | 0 pts. |

19. Climate Resilience and Adaptation

16 pts

Does the bidder demonstrate that the project is important to Climate Resilience and Adaptation; specifically, that the project has attributes supporting one or more of the following areas:

Extreme Weather Buffers - Identify, sustain, and rebuild natural lands, features, and systems that reduce risks from or buffer impacts to life and property from extreme weather events including but not limited to flooding, extreme heat, drought, and wildfires;

Connected Habitats for Resilience- Maintain an interconnected network of protected lands and waters enabling flora and fauna to adapt to climate change;

Climate Smart Forests - Address global climate change by sustainable stewardship of forests for climate mitigation and adaptation;

Healthy Ecosystems and Nature-Based Solutions - Center ecosystems as a primary tool for climate adaptation, prioritizing conservation of natural systems and promoting protection of sites that enhance resilience including but not limited to wetland solutions such protection of coastlines, riparian corridors and wetlands, upland solutions such as forest restoration and other resiliency and adaptation strategies that target ecosystems that are vulnerable to climate change;

Smart Growth - Address global climate change by encouraging more compact community design patterns;

Urban Forestry - Address global climate change by adding to the tree canopy in urban centers and urban communities to moderate temperature fluctuations, lower energy consumption, capture and reduce stormwater runoff, and reduce air pollution.

Instructions: Bidder should describe the following:

- To what extent do the current attributes of the land and future use as open space address global climate change through support for sustainable forestry, coastal protection, smart growth, and urban tree canopy?
- How durable are the conservation values likely to be over time?
- To what extent does the project mitigate risks such as sea level rise, weather, invasives, or other impacts to resilient landscapes, such as future development?
- To what extent does the project strategically leverage conservation and resilience across a larger area enabling flora and fauna to adapt to climate change, such as by enhancing connectivity or removing a specific threat to landscape scale, connectivity and/or resilience?
- The applicant should provide the score and a map output from the project from The Nature Conservancy's Resilient Land Mapping Tool to support their project description <https://www.maps.tnc.org/resilientland/#/explore> please upload a pdf map at this question.

- | | |
|--|---------|
| (A) High Importance - Bidder demonstrates that the project is very important to climate resilience and adaptation. EITHER it possesses attributes that contribute to more than one area, and those attributes are significant and of high-quality, OR one or more attributes are exceptionally important to one or more areas. | 16 pts. |
| (B) Medium-High Importance - Bidder demonstrates that the project possesses attributes that contribute to more than one area, OR two or more attributes are significant and of high-quality. | 13 pts. |
| (C) Medium Importance - Bidder demonstrates that the project possesses attributes that contribute to one area, OR one or more attributes are moderately significant | 10 pts. |
| (D) Low Importance - Bidder demonstrates that the project only provides minimal contribution to climate resilience and adaptation | 5 pts. |
| (E) Bidder does not demonstrate any contribution by the project to climate resilience and adaptation | 0 pts. |

20. Community Benefits	16 pts
-------------------------------	---------------

Does the bidder demonstrate that the project is important to provide community benefits, including equitable access and resources of value to the community; specifically, that the project has attributes supporting one or more of the following outcomes:

Recreation and Access - Provide publicly accessible, quality outdoor recreation and open space;

Quality of Life - Improve quality of life and overall health in communities, especially those with limited current access to open space;

Environmental Justice Improvement - Improve quality of life with targeted green infrastructure that restores environmental benefits of open space, aesthetics, clean air, water, soil, and access to nature in disadvantaged communities that have suffered an excessive, unfair share of environmental degradation;

Educational Opportunity - Provide places available to all New Yorkers for education and research relating to ecological, environmental, and cultural resources;

Wildlife-Dependent Recreation - Protect habitat to sustain the traditional pastimes of hunting, fishing, trapping, and wildlife viewing;

Cultural Heritage Protection - Protect and enhance scenic, historic, tribal and other cultural resources considered to be valued parts of the common heritage of residents where such projects have a direct nexus to open space preservation, land conservation, resource management techniques significant to Tribes and communities, and/or recreation.

Instructions: Bidder should describe the following:

- To what extent will the land be accessible to the public e.g. existing road frontage, parking possibilities, bikeability and walkability of area and by public transport.
- To what extent will the property offer recreation and quality of life opportunities, whether it be hiking, birding, skiing, seating, an urban pocket park with seating or room for small groups to gather or community garden allocation.
- To what extent will the property improve quality of life and restore environmental benefits to an urban, suburban, or rural area?
- To what extent will the land provide education opportunities (signage / kiosk, multilingual, including online resources with QR codes)

- To what extent will the land protect habitat and sustain traditional pastimes?
- To what extent will scenic, historic and cultural resources be valued (encourage communities to visit, organizing events and educating visitors about the history of the area and of the land, and encouraging tribal ceremonial and cultural use.

- | | |
|---|---------|
| (A) High Importance - Bidder demonstrates that the project is very important to providing community benefits. EITHER it possesses attributes that contribute to more than one outcome, and those attributes are significant and of high-quality, OR one or more attributes are exceptionally important to one or more outcomes. | 16 pts. |
| (B) Medium-High Importance - Bidder demonstrates that the project possesses attributes that contribute to more than one outcome, OR two or more attributes are significant and of high-quality. | 13 pts. |
| (C) Medium Importance - Bidder demonstrates that the project possesses attributes that contribute to one outcome, OR one or more attributes are moderately significant | 10 pts. |
| (D) Low Importance - Bidder demonstrates that the project only provides minimal contribution to outcomes that benefit the community | 5 pts. |
| (E) Bidder does not demonstrate any contribution by the project to outcomes that benefit the community | 0 pts. |

21. Land Conversion Risk	10 pts
---------------------------------	---------------

Does the bidder demonstrate that the project is important to address an urgent or significant risk of development or land conversion, division, or fragmentation, such as adjacent or similar landscape settings with high levels of land use conversion. Factors that could make the land particularly important to immediately conserve could include that the property is or will be actively placed on the market for sale, there is a lack of legacy planning or other family dynamics, or developers have expressed written interest in the property and relevant infrastructure is nearby.

Instructions: Bidder should explain the immediate or short-term risk of development for this project site. If there is no risk for development, bidder should explain the need for conservation and purchase at this time.

- | | |
|---|---------|
| (A) Bidder demonstrates great risk of development, conversion, division or fragmentation and shows the current need for purchase, including immediate threat of conversion specific to this property. | 10 pts. |
| (B) Bidder demonstrates great risk of possible development, conversion, division or fragmentation including the current need for purchase. | 8 pts. |
| (C) Bidder demonstrates general risk of possible development, conversion, division or fragmentation. | 6 pts. |
| (D) Bidder demonstrates minimal risk of possible development, conversion, division or fragmentation. | 3 pts. |
| (E) Bidder does not demonstrate risk of possible development, conversion, division or fragmentation. | 0 pts. |

22. Project Summary and Detailed Description

8 pts

Has the bidder completed a robust Project Summary including detailed description of the land? Does it include the full story of the project, deliverables or steps described in other responses, and detailed information such as:

- Location: (closest street address, adjacent geographic landmarks, proximity to nearest town, major roads, etc.)
- History: (current easements or encumbrances, timber management, agriculture, waste disposal, etc.)
- Current public access
- Land condition (quality, degraded by character, current use, prior use)
- Habitat (if known)
- Forest type (if applicable)
- Wetland, sensitive environmental areas (if applicable)
- Buildings and infrastructure, if applicable
- Estimated costs for: acquisition, closing costs, title, survey, appraisal, management plan, and other costs related to the project.
- Local needs
- Describe the nature or form of future public access and anticipated use.
- Possible obstacles that could impact the acquisition process.
- Site preparation and cleanup (list all associated deliverables)

Instructions: Tell us the story of the project, including, scope of work, the overall goals, desired outcomes and budget, along with a detailed timeline. Bidders can copy and paste answers from other questions here and also add pertinent details that have not been requested in other questions.

Provide property description.

Upload maps and photos to this question in SFS GM within a limited number of PDF uploads. Each PDF maximum file size is 20MB.

Upload a clearly labeled map or maps identifying:

- The boundaries of the desired land area (neighborhood or hamlet references will be accepted)
- a north arrow, a legend,
- aerial imagery,
- a scale, and
- an approximate location address for the site

Hand drawn maps are not eligible.

Upload ground truth photos of the site such as existing infrastructure, the property entrance, general condition, and/or natural features.

The Project Summary is included in the Master Contract for Grants. The Work Plan Summary, which in this grant will be pre-populated for the grantees, becomes the basis of the grantee progress reporting and is included in the Master Contract for Grants.

(A) The project summary, detailed description of land and uploaded maps provide clear details on the project, location condition, and local community needs and the details provided clearly illustrate the project's intended outcomes.

8 pts.

- (B) The project summary, detailed description of land and uploaded maps, provide adequate details on the project and the details provided adequately illustrate the project's desired outcomes. 4 pts.
- (C) The project summary, detailed description of land and uploaded maps do not adequately provide details on the project and/or the details provided do not illustrate the project's desired outcomes. 0 pts.

23. Proximity to Disadvantaged Communities

6 pts

Is the project located in, or within 5 miles of, a disadvantaged community?

Instructions: Go to the link to verify if the project area is within a DAC, directly adjacent to a DAC, or within 5 miles of a DAC of a disadvantaged community. Exact mileage will have to be ascertained through Google maps or similar. Then add the zip code of the project location in the text box provided. <https://www.nyserda.ny.gov/ny/disadvantaged-communities>.

- (A) The proposed project is located in a DAC and the project location zip code is stated in the text box that clearly shows the relative location of the project to a DAC. 6 pts.
- (B) The proposed project is within 5 miles of a DAC 4 pts.
- (C) The proposed project is not within 5 miles of a DAC. 0 pts.

24. Readiness of Land for Intended Use

4 pts

Is the property ready to be used for its intended open space conservation purpose or does the project include appropriate measures that will sufficiently address barriers to intended use? If barriers are beyond the scope of this grant program, has the organization planned, prepared, and/or demonstrated the capacity to do future work on the property? For example:

- Site cleanup work (structures, refuse, etc.) is fully described here and will be sufficient to enable public access and natural area function after acquisition.
- Remnants of former land use are compatible with future use, and/or will be addressed within the grant period.
- The Bidder has a reasonable and feasible plan for any other problems related to site conditions.

Instructions: Bidder should explain:

- To what extent is the land ready for public access and/or natural function?
- Are there mitigating issues that will need to be completed such as removal of buildings, trash or tires, removing and filling of freshwater wells, etc.?
- Describe the intention of the land's readiness and what events may be needed such as signage, parking?
- How will current site conditions be adapted to future use (use of buildings, concrete pads, roads, etc.)?
- Are there natural areas that need to be restored in order for native land cover to function or regenerate?
- What larger issues exist beyond the scope of this grant, such as; restoration of wetlands, contaminated soil, large or dangerous quarries, dumps, oil & gas wells, invasive species removal, etc.? What actions will be taken to ameliorate safety concerns or other impacts even if the issues can't be fully addressed immediately?

- What plans are in place to ameliorate any issues beyond the scope/capacity/term of this grant?

NOTE: See Section 1, Grant Information, h. Site Preparation and Cleanup for more information and be sure to upload estimates and include funding amounts needed on the Financial Worksheet upload and Budget entry.

- (A) The Bidder demonstrates that the land is ready for its intended use and/or the project includes all necessary site cleanup and/or any other issues can be addressed or ameliorated beyond the term of the grant. 4pts.
- (B) The Bidder partially demonstrates that the land is ready for its intended use and/or the project includes all necessary site cleanup and/or any other issues can be addressed or ameliorated beyond the term of the grant. 2 pts.
- (C) The Bidder does not sufficiently demonstrate that the land is ready for its intended use and/or the project includes all necessary site cleanup and/or any other issues can be addressed or ameliorated beyond the term of the grant. 0 pts.

25. Success Factors (Acquisition Readiness and Organizational Capacity) 4 pts

Has the Bidder demonstrated that project success is likely, considering the following important success factors?

Due Diligence: Does the bidder address the following: What level of due diligence has already been performed, if any (e.g. Title research, valuation, survey, environmental, etc.)? What has the bidder done to confirm availability of access to the property and seller support? To what extent has the bidder researched third party rights, trespass, mineral severance, timber leases, mortgages or other complicating factors? If such factors exist, does the Bidder have a reasonable plan to rectify the issues?

Organizational Capacity: Has the Bidder fully described the roles, qualifications, and experience for key personnel, any additional staffing requirements, and the organization’s experience in grant management, demonstrating sufficient capacity for project completion and future stewardship? Refer to section 2. Eligible Bidders - Bidders must possess the knowledge, skills, and /or track record to successfully implement the project and need to demonstrate ability to own and manage the property for its intended use.

Local Planning Support: Is the project compatible with and supported by a local comprehensive plan or regional plan? Will the project build on previous community planning and/or is it listed as a local open space priority?

Community Support: Does the Bid include a letter (or letters, up to 5) of support from elected officials and any partnering organizations (not directly associated with the bidder or seller) that support the land acquisition.

Instructions: Bidders should describe all due diligence that has been completed. To what extent is the project ready to move forward - is the seller ready and willing to work towards the purchase/sale?

Bidders should fully address organizational capacity and project roles. To what extent are the organization and personnel qualified and experienced in land acquisition or similar projects? Bidders should describe the roles each person will fulfill, including any Project Partner roles, and detail any contractors that may/will be hired and what their role will be.

Bidders should cite support for the project demonstrated within local / regional planning documents, if applicable.

Bidders should gather Community Support Letters stating reasons for supporting the acquisition and any planned public access. Any involvement of local hiking trail committees or “Friends Of” groups should be included, stating any planned participation in future stewardship. Community Support letters should not be from DEC personnel.

Not for Profits only – please upload the optional support letter from the municipality at this question detailing their support of the project and another 3-4 letters from members of the community regarding prior community work or support for this acquisition project.

Please upload letters in a single .pdf. Letters of support should be addressed to the Bidder, not DEC.

- (A) The due diligence completed by the bidder and the organizational capacity are well-described and sufficient to deliver the project on the proposed timeframe and accomplish future stewardship AND the project includes local planning or community support. 4 pts.
- (B) The due diligence completed by the bidder and the organizational capacity are well-described and sufficient to deliver the project on the proposed timeframe and accomplish future stewardship. 3 pts.
- (C) The due diligence completed by the bidder and the organizational capacity are NOT well-described or may be insufficient to deliver the project on the proposed timeframe and accomplish future stewardship. 0 pts.

26. Reasonableness of Costs 1 - Land 12 pts

Does the bidder demonstrate value for the land cost as it applies to protection from development as well as being a fiscally sound project (e.g. rural acres to grant amount, price per acre and urban local sales comparisons or known city data such as tax assessment vs. property valuation) within the context of the local real estate market and the unique aspects of the property? Does the bidder discuss the sale price and the uploaded estimate for the land acquisition; what is included and any standout features? If the bidder uploaded a full appraisal, award three extra points (12 points maximum).

Instructions: Bidder should discuss the reasonableness of the estimate or appraisal for land acquisition . Any seller concession on price should be noted here as well as on the Financial Worksheet.

- (A) Bidder clearly demonstrates good value for land costs and uploads a full appraisal 12 pts.
- (B) Bidder clearly demonstrates good value for land costs. 9 pts.
- (C) Bidder adequately demonstrates acceptable value for land costs 5 pts.
- (D) Bidder does not adequately demonstrate acceptable value for land costs 0 pts.

27. Reasonableness of Costs 2 – Non-Land 5 pts

Does the bidder discuss the non-land acquisition costs and state what will be contracted (legal, title, insurance, appraisal etc.). Is the project well-researched and supported and are expenses appropriate to the scale of the project? Are all acquisition expenses reasonable and has the bidder included details in the Budget Narrative box in SFS GM?

NOTE: DEC reserves the right to limit non-land costs to 25% of land costs unless sufficient justification is provided in response to this question. See section 8. Method of Award for

more detail.

Instructions: Bidder should discuss estimates for non-land costs such as appraisal, survey, title report, etc. and upload estimates at this question for all items over \$2,500.

- (A) Bidder has clearly demonstrated that non-land acquisition costs are well-researched and supported. Expenses are appropriate to the project and details have been included in the Budget Narrative box in SFS GM. 5 pts.
- (B) Bidder has adequately demonstrated that non-land acquisition costs are researched and supported. Expenses are appropriate to the project and details have been included in the Budget Narrative box in SFS GM. 3 pts.
- (C) Bidder has not adequately detailed non-land acquisition costs or has not adequately demonstrated that non-land acquisition costs are researched and supported. 0 pts.

28. Eligibility of Costs

3 pts

Does the budget contain eligible costs?

Instructions: This question does not include opportunity for Bidder response related to this question.

- (A) Budget includes only eligible costs. 3 pts.
- (B) Budget includes ineligible costs of 5% or less of the total budget. 1 pt.
- (C) Budget includes ineligible costs of greater than 5% of the total budget or an inadequate level of detail was provided to determine eligibility. 0 pts.

Total = 100 points

8. Method of Award

Bids will first be reviewed for bidder and project eligibility on a pass/fail basis. Bids that fail one or more of the scoring and eligibility criteria will be disqualified from further review.

All eligible bids submitted to SFS Grants Management by the due date will be reviewed and scored by members of a DEC review committee in accordance with the Evaluation and Scoring Criteria contained in this RFA. Reviewers' scores will be averaged for each application to determine a final score. Final scores will be ranked from highest to lowest scores. Bids will be selected for funding beginning with the highest down to the lowest ranked project until all available funding is exhausted, or no eligible bids remain. The total number of points that can be awarded are 100, and each bidder shall not fall below 65% to be awarded funding.

For the purposes of this RFA, Small Projects will be those with a grant funding request of \$250,000 or less, for which the amount of available funding will be capped at approximately \$2,000,000. As Bids are selected for funding, beginning with the highest down to the lowest ranked project, a tally of Small Project awards will be maintained such that the last Small Project awarded will be the one that raises the tally to equal or greater than \$2 million for Small Projects. The final Small Project will be fully awarded, not reduced. The remaining funds will be awarded only to Large Projects. No further Small Project awards will be made.

Tie Breaker: If there is a numerical tie between multiple bids, the application that scores the highest in Cost-Effectiveness will determine placement on the ranked list. If a tie remains, the bidder that includes the highest scoring Protection of Natural Resources will determine placement on the ranked list, with the earliest application placing highest.

Non-Land Cost Limitation

DEC reserves the right to remove from grant awards any non-land project costs that exceed 25% of the land cost. Such costs will be limited in cases where the Bidder has not sufficiently demonstrated cost effectiveness of non-land expenditures including:

1. justification of need for non-land project costs that exceed 25% of the land cost.
2. likely adverse consequences to project if non-land project costs that exceed 25% of the land cost are not provided;
3. documentation of similar project expenses; and
4. likelihood that the project will be successfully completed if funding is provided.

Contingency Awards

In addition to the funds that are initially awarded under this RFA, DEC will set aside approximately \$5 million for a contingency fund to allow up to twenty percent (20%) in additional funding for unanticipated project cost increases. Contingency funds will be made available to successful Bidders on a first-requested, first-awarded basis based on the following criteria:

1. justification of need for supplemental funding.
2. likely adverse consequences to project if supplemental funding is not provided;
3. documentation of additional costs supporting a request for funding; and
4. likelihood that the project will be successfully completed if funding is provided.

Use of contingency funds will be subject to DEC and Office of State Comptroller approval of a contract amendment. There will be no additional state monies available for cost increases once the contingency funds are exhausted. Requests for contingency funds should not be included in the initial application; successful Bidders may only request these funds after a funding agreement is in place and after discussion with and initial invitation by DEC to submit a request.

Use of Environmental Protection Fund

Up to \$200,000 has been made available within the NYS Environmental Protection Fund land acquisition appropriation for this Open Space Conservation Grant Program. While DEC will work with the Grantee to ensure that each acquisition project is successful, there are rare occasions in which unforeseeable circumstances prevent a project from closing. Any pre-closing costs in that circumstance will not be charged to Bond Act funds. Each grant contract will be set up with EPF funding to cover pre-closing costs until such time that the closing has been completed. For this reason, each grant award will include a small portion of EPF funding covering pre-closing costs, based on the project estimated costs, in addition to Bond Act funds.

9. Grant Program Payment

Once all applicable State agencies approve the Master Contract for Grants (MCG), State funds will be disbursed on the basis of satisfactory performance of contract requirements resulting in earned payments. There will be a total of four to five payments over the course of the contract

term. Those payments include: (1) interim payment #1, (2) interim payment #2, (3) interim payment #3, (4) interim payment #4 (if applicable), and (5) final payment. **Each payment is triggered when the Bidder achieves the required milestones—listed below under each payment.**

Please note that DEC needs 30 days to remit funds once a payment request (voucher) is submitted and approved by grant program.

Project costs eligible for payment must be incurred between the MCG term start and end dates. Costs incurred prior to the MCG term start date or after the MCG term end date will not be considered eligible for structured payment advances or match. Copies of supporting cost documentation (paid invoices, receipts, cancelled checks, etc.) must be audited and approved by the DEC for interim payments to be approved.

Payment Structure – Performance-based Budget

1. Interim Payment #1: Issued once Master Contract for Grants is executed.

Grantees will receive funding to enable them to prepare the Preliminary Review Package (title report and curative letter). This funding is to be used for the procurement of the title report and for legal fees for its review. This is to be completed within six (6) months in order to move to the next payment phase.

2. Interim Payment # 2: Issued after DEC has reviewed and approved the preliminary review package. Interim Payment #2 will be issued to fund the following Pre-Closing Requirements:

- Appraisal
- Boundary survey
- Draft deed, (with Notice of Grant Attachment)
- Phase 1 environmental assessment
- Certification of Title Curatives
- Balance of State contribution toward grantee's estimated legal fees
- Real property sales contract substantially in final form

Documents under Interim Payments # 1 and #2 must be submitted to DEC within eighteen (18) months of DEC approval of the funding agreement and execution of the Master Contract for Grants.

3. Interim Payment # 3: Ten percent (10%) of the land cost or \$10,000, whichever is less, will be held as **retainage** until project completion. Any final or interim payment request submitted before completion of all performance measures will be reduced, such that **retainage** of the land cost remains unpaid. Once all performance measures have been achieved, any withheld retainage will be released for payment. This means that the Interim Payment #3 will comprise 90%+ of the land cost with the balance to be paid after DEC has reviewed and approved the below Pre-Closing Requirements.

- Final deed before execution, (with Notice of Grant Agreement)
- Closing must be within 30 days of receipt of land payment

4. Interim Payment #4 (if applicable): Site preparation / cleanup costs are paid after the closing has taken place and final documentation is approved by the Department. A portion of site preparation / cleanup cost will be withheld as retainage (amount to be enumerated at the

Department's discretion) to be released upon project completion. Final reconciliation of site preparation / cleanup expenses will allow for retainage to be released.

5. Final Payment: Final acquisition cost and post-closing costs are paid after the closing has taken place and final documentation is approved by the Department. This payment is for the retainage of the land cost (10% or \$10,000), recording fees and any other unpaid eligible expenses on a reimbursement basis, within the 10% non-land cost buffer amount. Issued after DEC has reviewed and approved the below Post-Closing Requirements:

- Final title policy
- Recorded deed with recording page

10. Eligible and Ineligible Expenditures

a) Budget Costs Eligible for Funding

Non-Personal Services:

Contractual: Fee purchase price acquisition costs provided such value supported by an appraisal(s) deemed acceptable to DEC. These costs may include the attorney fees, title report, value of the appraisal(s) to grant standard, survey and boundary line marking completed by a professional land surveyor to grant standards, Phase I Environmental Site Assessments, grantee's title insurance, recording fees, conservation defense insurance premiums (for land trusts only), and seller's tax proration at time of sale.

Site Preparation / Cleanup: Total expenditures are limited to \$100,000. Eligible costs include:

- Short-term (less than 9 months) contractual services,
- supplies and materials,
- Signage (mandatory) for all projects and/or
- equipment rental.

b) Budget Costs Not Eligible for Funding

Non-Personal Services

Contractual: seller/landowner's cost for legal or financial advisors; project partner payment for anything other than eligible items listed above.

Indirect: grantee's indirect or overhead costs (i.e., office rent, office utilities, and any other cost that is indirectly incurred).

Travel: staff and/or contractor travel to and from the project.

Equipment: equipment purchase is ineligible.

Other: Funds cannot be used for general operating support, fees for trainings or events, accreditation fees, real estate commissions, local, state, or Federal **sales taxes**, overhead related to buildings, open space inventories, or natural resource inventories.

Personal Services

Salary/Fringe: Staff salary or benefits.

Other state or federal funding: Costs paid from other state or federal funding sources are not eligible for payment.

11. Grant Program Reporting

Quarterly Narrative Progress Reports must be submitted in narrative form, no later than 30 days from the end of the calendar quarter and may also be requested to accompany requests for interim payments. The reports will summarize how the project progressed toward meeting project objectives and deliverables during the respective quarter. Quarterly reports shall be submitted in SFS Grants Management. Progress reports must be submitted every quarter by every grantee.

Interim Performance-based Budget Payments, detailed by object of expense as defined in the Master Contract for Grants Attachment B-2 Performance-based Budget, can accompany the Quarterly Narrative Progress Reports. These reports must correlate to subsequent vouchers submitted for payment.

Interim Performance-based Budget MCG payment requests will be accepted prior to submission of a final closeout reimbursement request. Please note DEC needs up to 30 days to remit payments following receipt of payment request/voucher and grant program review and approval. For land acquisition closing, Interim Payment 3, (acquisition payment minus retainage of land cost) will be issued after DEC has reviewed and approved all Closing Requirements

Final Progress Report must be submitted and approved by DEC prior to the release of the final contract payment to the Contractor. The Contractor must submit the Final Progress Report no later than 60 days after the end of the contract period. The Final Report should report on all aspects of the program and detail how the use of grant funds was utilized in achieving the goals set forth in the approved MCG Attachment C Work Plan. Copies of appropriate documents (i.e., inventory and/or management plan) must be submitted and approved by DEC.

A DEC on-site inspection may be required to confirm land acquisition was completed in accordance with the approved project work plan.

Projects already receiving funds from another NYS or Federal assistance grant program are not eligible to receive funding for the same project activities identified in this RFA.

12. What to Expect If You Receive an Award

a) Notification of Award

Bidders selected to receive a grant award will be notified by email and in an official Department award letter. The SFS GM will also provide you with an award status.

IMPORTANT NOTE: By accepting an award, the bidder agrees to abide by all Master Contract for Grants (MCG) or purchase order terms and conditions. Any changes to the terms and conditions will not be accepted and may affect bidder's award.

b) State of New York Master Contract for Grants (MCG)

Bidders selected to receive a grant award will be required to execute an MCG within 60 - 90 days from the time of their award notification. Failure to submit timely required MCG documents could cause a bidder to lose their grant award. Bidders should review and be prepared to comply with all MCG terms and conditions should grant funding be awarded. The MCG and attachments include:

- MCG Grants Face Page
- MCG Standard Terms and Conditions (NYS standard terms and conditions)
- Appendix A – Statewide Terms and Conditions
- Attachment A-1 Agency Specific Terms and Conditions
- Attachment A-2 Program Specific Terms and Conditions
- Attachment A-3 Federally Funded Grant Terms and Conditions (optional)
- Attachment B-2 Performance Based Budget (payment milestones)
- Attachment C Work Plan (project objectives, tasks and performance measures)
- Attachment D Payment and Reporting Schedule (claims for reimbursement and grant reporting provisions)

IMPORTANT NOTE: Project related costs must be incurred within the term of the MCG to be considered eligible for reimbursement or match. Contract payments will not be approved or processed by the DEC until a MCG is fully approved by the DEC, and as applicable the Attorney General and the State Comptroller. All contracts must be approved by the contract start date of which will be determined at the time of an official award.

Bidders (referred to as “Contractor” following award of Grant Contract) Should Be Prepared to Comply with the Following MCG Requirements:

c) Insurance Requirements

Contractor will be required to carry appropriate insurance as specified in the MGC or LOA, Attachment A-2 Program Specific Terms and Conditions, and agree that each project consultant, project contractor and project subcontractor secures and delivers to the contractor appropriate policies of insurance issued by an insurance company licensed to do business in the State of New York. Policies must name the contractor as an additional insured, with appropriate limits, covering contractor’s public liability and property damage insurance, contractor’s contingency liability insurance, “all-risk” insurance and workers compensation/disability benefits coverage for the project.

d) Permit Requirements (if applicable)

Contractors agree to obtain all required permits, including but not limited to, local, state and federal permits prior to the commencement of any project related work. The Contractor agrees that all work performed in relation to the project by the Contractor or its agents, representatives, or contractors will comply with all relevant federal, state and local laws, rules, regulations and standards, zoning and building codes, ordinances, operating certificates for facilities, or licenses for an activity.

e) State Environmental Quality Review (SEQR) Documentation

With respect to the project, the Contractor certifies that it has complied and shall continue to comply with all requirements of the State Environmental Quality Review Act (SEQRA). The

Contractor agrees to provide all environmental documents as may be required by the DEC. The Contractor has notified, and shall continue to notify, the DEC of all actions proposed for complying with the environmental review requirements imposed by SEQRA.

f) Vendor Responsibility Questionnaire

Not-For-Profit contractors and/or subcontractors are subject to a vendor responsibility review by the State to ensure public dollars are being spent appropriately with responsible contractors. A vendor responsibility review may include a contractor and/or subcontractor to present evidence of its continuing legal authority to do business in NYS, integrity, experience, ability, prior performance, and organizational and financial capacity. To enroll in and use the NYS VendRep System, see the VendRep System instructions, or log in at <https://onlineservices.osc.state.ny.us>.

g) Iran Divestment Act

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. By entering into a Contract, the Contractor certifies that it is not on the “Entities Determined To Be Non-Responsive Bidders/Offerers Pursuant to The New York State Iran Divestment Act of 2012” list (“Prohibited Entities List”) posted on the OGS website at: <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf> and further certifies that it will not utilize on such Contract any subcontractor that is identified on the Prohibited Entities List. Additional detail on the Iran Divestment Act can be found in the MCG, Attachment A-1 Program Specific Terms and Conditions.

h) Minority and Women Business Enterprise (MWBE) and Equal Employment Opportunity (EEO) Requirements

DEC is required to implement the provisions of New York State Executive Law Article 15-A and 5 NYCRR Parts 142-144 (MWBE Regulations) for all State contracts with a value (1) in excess of \$25,000 for labor, services, equipment, materials, or any combination of the foregoing or (2) in excess of \$100,000 for real property renovations and construction.

Bidders subject to executing a future NYS Master Contract for Grants (MCG) agree, in addition to any other nondiscrimination provision of the MCG and at no additional cost to DEC, to fully comply and cooperate with DEC in the implementation of New York State Executive Law Article 15-A. These requirements include Equal Employment Opportunities (EEO) for minority group members and women and contracting opportunities for certified Minority and Women Owned Business Enterprises (MWBEs). Contractor’s demonstration of Good Faith Efforts (GFEs) pursuant to 5 NYCRR §142.8 shall be a part of these requirements. These provisions shall be deemed supplementary to, and not in lieu of, the nondiscrimination provisions required by New York State Executive Law Article 15 (the “Human Rights Law”) or other applicable federal, state or local laws.

Failure to comply with MWBE and EEO requirements may result in a Department finding of non-responsiveness, non-responsibility and/or a breach of contract, leading to the withholding of funds or such other actions, liquidated damages, or enforcement proceedings.

Please refer to the NYS MCG - Article IV (J) and Attachment A-1 Program Specific Terms and Conditions - Article X, to review MWBE and EEO requirements.

- The local government is responsible for designating someone to serve as their Affirmative Action representative. The governing body should make this designation through official means.
- A list of certified MWBE enterprises can be obtained via the internet from the NYS Empire State Development at:
<https://ny.newnycontracts.com/FrontEnd/searchcertifieddirectory.asp>

MWBE reporting for Department of Environmental Conservation contracts must now be completed using the New York State Contract System (NYSCS). <https://ny.newnycontracts.com/>.

All contracts of \$25,000 or more will be assessed for MWBE goals. Contracts which meet the established MWBE-EEO thresholds require the Contractor to submit the Utilization Plan prior to the execution of the contract and Monthly Compliance Audits in the NYSCS after the contract is executed. To submit the required MWBE Utilization Plan, log-in to NYSCS and access the Utilization Plans section displayed on the user dashboard. Plans requiring action will be displayed in red.

All contractors shall complete an Equal Employment Opportunity (EEO) Policy Statement and Staffing Plan form and submit it prior to the execution of the contract.

For more information regarding MWBE compliance and reporting guidelines, and to download required forms, please visit: <https://www.dec.ny.gov/about/61016.html#MWBE>.

The following MWBE “Fair Share” goals are established as follows:

Minority and Women Owned Business Enterprise (MWBE) Overall Participation Goals:

- Construction/Engineering – up to 0%
- Commodities – up to 0%
- Services/Technologies –up to 0%

DEC MWBE Compliance Unit
 NYS Department of Environmental Conservation
 Bureau of Contract and Grant Development/MWBE Program
 625 Broadway, 10th Floor.
 Albany, New York 12233-5028
 Mwbe@dec.ny.gov
 Phone: (518) 402-9240

i) Service-Disabled Veteran-Owned Business (SDVOB) Participation Requirements

DEC is required to implement the provisions of New York State Veteran’s Law Article 3. The contractor must make Good Faith Efforts to subcontract a goal of 0% of the contract amount to New York State Certified Service-Disabled Veteran-Owned Businesses (SDVOBs), for purposes of providing meaningful participation by SDVOBs.

The contractor is required to complete and submit a SDVOB Utilization Plan detailing how the contractor intends to meet the SDVOB goal. In addition, the contractor must complete and submit quarterly compliance reports detailing the amount spent on SDVOBs in the previous quarter. In addition, all forms and guidance can be located at; <https://ogs.ny.gov/veterans/division-service-disabled-veterans-business-development-compliance-and-reporting>. Please contact DEC’s SDVOB compliance staff with any questions at:

DEC SDVOB Compliance Unit
NYS Department of Environmental Conservation
Bureau of Contract and Grant Development/SDVOB Program
625 Broadway, 10th Floor.
Albany, New York 12233-5028
SDVOB@dec.ny.gov
Phone: (518) 402-9240

j) Procurement of Contractors/Subcontractors

Municipalities must comply with General Municipal Law Sections 103 (competitive bidding) and 104-b (procurement policies and procedures). Not-for-profit corporations must follow procurement policies that ensure prudent and economical use of public money. Failure to comply with these requirements could jeopardize full reimbursement of your approved eligible project costs.

k) Americans With Disabilities Act

In the event the monies defined herein are to be used for the development of facilities, outdoor recreation areas, transportation or written or spoken communication with the public, the Contractor shall comply with all requirements for providing access for individuals with disabilities as established by Article 4A of the New York State Public Buildings Law, Americans with Disabilities Act, and relevant sections of the New York State Uniform Fire Prevention and Building Code. Standards for certain Recreation Facilities are found in the 2010 ADA Standards for Accessible Design while others are found in the Architectural Barriers Act Accessibility Guidelines for Outdoor Recreation Areas <https://www.access-board.gov/guidelines-and-standards>.

l) Signage

The project owner shall install signage on-site that identifies the site as a Bond Act Funded project. Sign specifications and templates are available on the Environmental Bond Act website <https://environmentalbondact.ny.gov/pages/documents>.

m) Diesel Emissions Reduction Act 2006

In 2007, New York State passed legislation establishing the Diesel Emissions Reduction Act 2006 (DERA). This Act amended the Environmental Conservation Law (ECL) by adding Section 19-0323 which requires the use of best available retrofit technology (BART) and ultra-low sulfur diesel fuel (ULSD) for heavy duty vehicles owned or operated by, including on behalf of, state agencies and state or regional public authorities. DEC has promulgated regulations (6 NYCRR Part 248) to provide guidance on provisions of the law. The regulations may be found on DEC's website at <http://www.dec.ny.gov/regs/2492.html>.

If applicable, the contractor must comply with the specifications and provisions of ECL Section 19-0323 and 6 NYCRR Part 248, which require the use of BART and ULSD, unless specifically waived by DEC. Qualifications for a waiver under this law are the responsibility of the Contractor.

Appendix A – Financial Workbook, including Performance Based Budget Instructions

Part 1: Financial Worksheet

Financial Worksheet - Open Space Conservation Grant Program Project						
Name of Bidder			Landowner Name			
Acres to be Acquired (per survey) =		Estimated Purchase Price		Price per acre =	#DIV/0!	
				Cost per acre =	#DIV/0!	
COSTS		FUNDING SOURCES				
	Estimated Acquisition Costs ¹	State Contribution ²	Other (cash) ³	Sum of Funding Sources ⁴	Contribution ⁵ and other In-Kind (if applicable)	Proposed Purchase Price of Acquisition ⁶
LAND COSTS						
Estimated Purchase Price	\$ -			\$ -	\$ -	\$ -
TRANSACTION COSTS						
Title Report & Title Insurance ⁷				\$ -	\$ -	
Survey(s)				\$ -	\$ -	
Appraisal				\$ -	\$ -	
Outside Legal Fees (if any) ⁸				\$ -	\$ -	
Environmental Assessment				\$ -	\$ -	
Recording & Closing Fees ⁹				\$ -	\$ -	
Conservation Defense Insurance Premium (NFP only) ¹⁰				\$ -	\$ -	
Site Preparation &/or Cleanup (up to \$100,000 before 10% buffer) ¹¹				\$ -	\$ -	
Other transaction cost ¹² : <i>please list this item here (will be paid in Interim Payment 3)</i>				\$ -	\$ -	
Other transaction cost ¹² : <i>please list this item here (will be paid in Interim Payment 3)</i>				\$ -	\$ -	
Other transaction cost ¹² : <i>please list this item here (will be paid in Interim Payment 3)</i>				\$ -	\$ -	
Other transaction cost ¹² : <i>please list this item here (will be paid in Interim Payment 3)</i>				\$ -	\$ -	
10% Non-land Cost Buffer ¹³	\$ -			\$ -		
Value of Grantee Staff Time - In-Kind Contribution Only					\$ -	
Subtotal =	\$ -	\$ -	\$ -	\$ -	\$ -	
TOTAL PROJECT COSTS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Percentage of Total Project Cost from Each Category / Contributor		#DIV/0!	#DIV/0!		#DIV/0!	#DIV/0!
Auto Math Check ¹⁴		Total Project Costs =		\$ -	Total Funded + In-Kind =	\$ -
					Non-Land Cost as % of Land ¹⁵ =	#DIV/0!
					Non-land costs over 25% of land cost require justification	

NOTE: NYS real estate transfer tax, if any, shall NOT be paid from proceeds provided to the Bidder from the State via the grant contract associated with this project.

Identify each "Other" source of cash and specify the amount to be provided from each source in the box immediately below:

INSTRUCTIONS FOR FILLING OUT FINANCIAL WORKSHEET.

NOTE: Do not enter values on this sheet/page into the SFS Budget. See the next sheet "Instructions-Performance Budget" for values to enter into SFS Budget.

- (1) Enter estimated costs for each item associated with this transaction. For cell C9, the estimated purchase price will automatically fill from above. All costs should be based on the most accurate data available at the time of application. Ideally, estimated purchase price will be based on a recent appraisal.
- (2) State contribution can be 100% of total project cost within RFB limits on total grant (\$3,500,000), non-land cost percentage (25% of land cost), and site cleanup (\$100,000 max). Project managers should enter the State contribution vs. Other funds for the full project.
- (3) The sum of all "Other" funding applied to the project must be allocated in this column. The project manager must allocate that funding as it is anticipated to be used to close the project. Actual allocation may be altered prior to the final distribution of State funds provided that the State approves any such reallocation. Each source and the specific amount being contributed from each source must be identified in supplemental budget documentation provided at the bottom of the front side of this form.
- (4) This column automatically sums all sources of cash allocated to cover the project costs.
- (5) If applicable, the Landowner Contribution is calculated as the difference between the estimated purchase price and the sum of the funding sources available. This represents a landowner donation resulting from a bargain sale.
- (6) Proposed Purchase Price is the amount of consideration that the landowner will receive for the sale of this fee property. This number is automatically calculated as the sum of the funding sources available.
- (7) Title Report & Title Insurance should include all costs associated with title report and title insurance policy to purchase the property, except any associated legal expenses. These deliverables may be distributed throughout the project, but the full amount will be paid in Interim Payment #1
- (8) Outside Legal Fees (if any) is an estimate of the total amount of ALL legal services that will be needed throughout the acquisition project. Because salary is not an eligible expense, do not include the time and activity of lawyer(s) on staff as employees of the Bidder.
- (9) Recording & Closing Fees this should include all the fees that are included on a closing statement (except any Legal fees). Example: tax proration, State and County recording fee, etc.
- (10) Conservation Defense Insurance Premium (if applicable) is a small expense typically incurred by Land Trusts for long term defense of the property.
- (11) Site Preparation &/or Cleanup is limited to \$100,000 except for the auto-calculated 10% non-land buffer amount. Be sure to consult the RFB for limitations on the use of this funding line.
- (12) **Other transaction costs must be identified separately.** Must be contracted services, examples include: GIS mapping, printing, etc. Please note other cash contributions toward these costs. In-kind contribution toward any such item is not tracked because no match is required.
- (13) For all bidders, a 10% contingency is automatically added to the sum of non-land estimates, to allow for aging of quotes, price fluctuation, etc.
- (14) Auto math check confirms that the total project costs sum correctly and matches the total funded

Part 2: Performance Based Budget Instructions

Instructions for Attachment B-2, Performance Based Budget Summary

PERFORMANCE BUDGET

When ready to apply in SFS Grants Management, follow the instructions on this page to enter your estimated costs.

1. Within your Bid, scroll down to "Step 2: Enter Line Bid Responses" and click on "Period Details - 1"
2. Click "Budget Properties"
3. Under "Budget Category Properties," Budget Category names have been pre-filled with the name of the payment.
 - a. Do not remove or rename a Budget Category unless you are removing SITE PREPARATION &/or CLEANUP as not applicable.
 - b. If, for any reason, a category listed in blue, below, is missing, please add it
4. Under "Period Budget Summary," Budget Category Detail link - Type/Description names have been prefilled with the name of the deliverable that "unlocks" the payment.
 - a. Do not remove, rename, or create any additional detail Type/Description. There is one per budget category.
 - b. If, for any reason, a detail Type/Description listed in blue, below, is missing, please add it
 - c. Enter the amounts in blue below to the corresponding Type/Description**
 - d. Just enter "Grant Funds" and "Other Funds". Ignore ALL OTHER fields such as "Position Title", "Annualized Salary..." "Qty", "# Units", "Amount Per Unit" etc.

CONTRACT APPROVAL

Confirm/add a budget category entitled "Interim Payment 1"

Confirm/add a budget category detail type/description entitled "Contract Approval"

Calculated Total Amount Per Deliverable - Estimated Costs

50% Legal Fees	\$	-
Cost of Title Report & Title Insurance	\$	-
TOTAL AMOUNT	\$	-

Calculated Grant Amount Per Deliverable - State Contribution

50% of Legal Fees	\$	-
Cost of Title Report & Title Insurance	\$	-
GRANT FUNDS	\$	- <i>Interim Payment 1</i>
OTHER FUNDS	\$	-

Click "OK" to complete this detail

OK

Instructions for Attachment B-2,
Performance Based Budget Summary

PERFORMANCE BUDGET

When ready to apply in SFS Grants Management, follow the instructions on this page to enter your estimated costs.

PRELIMINARY REVIEW PACKAGE APPROVAL

Confirm/add a budget category entitled "Interim Payment 2"

Confirm/add a budget category detail type/description entitled "Preliminary Review Package Approval"

Calculated Total Amount Per Deliverable - Estimated Costs

Survey	\$	-
Appraisal	\$	-
50% of Legal Fees	\$	-
Environmental Assessment	\$	-
TOTAL AMOUNT	\$	-

Calculated Grant Amount Per Deliverable - State Contribution

Survey	\$	-	
Appraisal	\$	-	
50% of Legal Fees	\$	-	
Environmental Assessment	\$	-	
GRANT FUNDS	\$	-	<i>Interim Payment 2</i>
OTHER FUNDS	\$	-	

Click "OK" to complete this detail

OK

PRE-CLOSING REQUIREMENTS APPROVAL

Confirm/add a budget category entitled "Interim Payment 3"

Confirm/add a budget category detail type/description entitled "Pre-Closing Requirements Approval"

Calculated Total Amount Per Deliverable - Estimated Costs

Fee Acquisition Purchase Price	\$	-
Retainage (10%, not to exceed \$10,000)	\$	-
"Other Transaction Costs"	\$	-
TOTAL AMOUNT	\$	-

Calculated Grant Amount Per Deliverable - State Contribution

Fee Acquisition Purchase Price	\$	-	
Retainage (10%, not to exceed \$10,000)	\$	-	
"Other Transaction Costs"	\$	-	
GRANT FUNDS	\$	-	<i>Interim Payment 3</i>
OTHER FUNDS	\$	-	

Click "OK" to complete this detail

OK

Instructions for Attachment B-2,
Performance Based Budget Summary

PERFORMANCE BUDGET

When ready to apply in SFS Grants Management, follow the instructions on this page to enter your estimated costs.

SITE PREPARATION &/or CLEANUP

Confirm/add a budget category entitled "Interim Payment 4"

Confirm/add a budget category detail type/description entitled "Site Preparation &/or Cleanup Staged"

Calculated Total Amount Per Deliverable - Estimated Costs

Site Preparation &/or Cleanup	\$	-
TOTAL AMOUNT	\$	-

Calculated Grant Amount Per Deliverable - State Contribution

State Contribution	\$	-
GRANT FUNDS	\$	- <i>Interim Payment 4 (Amount subject to retainage)</i>
OTHER FUNDS	\$	-

Click "OK" to complete this detail

POST-CLOSING REQUIREMENTS

Confirm/add a budget category entitled "Final Payment"

Add a "Deliverable/Outcome" entitled "Post-Closing Requirements"

Calculated Total Amount Per Deliverable - Estimated Costs

Recording & Closing Fees	\$	-
Fee Acquisition Retainage Release	\$	-
Conservation Defense Insurance Premium	\$	-
10% Non-Land Buffer -- reimbursable up to	\$	-
TOTAL AMOUNT	\$	-

Calculated Grant Amount Per Deliverable - State Contribution

Recording & Closing Fees	\$	-
Fee Acquisition Retainage Release	\$	-
Conservation Defense Insurance Premium	\$	-
10% Non-Land Buffer -- reimbursable up to	\$	-
GRANT FUNDS	\$	- <i>Final Payment</i>
OTHER FUNDS	\$	-

Click "OK" to complete this detail

GRAND TOTAL GRANT FUNDS \$ -

Appendix B - Bid Submission Checklist

Be sure to submit the following items with your bid to avoid disqualification:

- Map
- Deed (current landowner)
- Current School and Town/County tax bills
- Estimate of market value
- Financial Worksheet
- Existing mortgages or liens
- Municipal resolution or not-for-profit statement of intent
- Letter of agreement from landowner (a contract of sale will not be accepted)
- Letter of Commitment from Post-Acquisition Landowner or Project Partner (if applicable)
- Sexual Harassment Prevention Certification form
- Executive Order 16 form
- Gender Based Violence and the Workplace Certification form

Be sure to submit the following items with your bid to receive additional points

- Ground Truth photos
- Community Support letters

Appendix C - Sample Municipal Resolution – may be adapted for not-for-profit Statement of intent

[Official Letterhead of Municipality or NFP]

Resolution No. _____

A Resolution of [Municipality name] to set aside funds for community forest acquisition

WHEREAS, [Municipality name] desires to apply for [\$request amount] in financial assistance through the [Year] DEC Open Space Conservation Grant Program, performance payments grant, involving interim payment from DEC for the Town to use as upfront land and closing costs and a contract term of three years; and.

WHEREAS, the bid proposes funding for acquisition of land to for the purposes of protection from development and for public benefit of all New Yorkers; and

WHEREAS, the property located at [property address] is available for [fee title or conservation easement] acquisition and the landowner wishes to sell the land to the municipality for the purpose of establishing a community forest; and

WHEREAS, the DEC will hold 10% of the total land cost in retainage at the closing until recorded deed and final title insurance is received by DEC; and

NOW, THEREFORE BE IT RESOLVED, that the [Governing body] of the [Municipality] approves and endorses the bid for the [Year] DEC Open Space Conservation Grant Program and, recognizing this is a performance-based payments grant that may require minimum amounts of funding upfront, an order of operation for closing requirements and that the Town understands that If the total project funds exceed the DEC funds, (add details here and explain that municipality will set aside the balance of funds).

Passed by the vote of [Governing body] Members voting in favor thereof:

Affirmative:

Negative:

Abstain:

RESOLVED this [Date] day of [Month], [Year] - I, [Clerk name], do hereby certify that resolution [Number] was passed at a meeting of the [Governing body] held on [Date], and is [incorporated in the original minutes of said meeting OR on file and of record], and that said resolution has not been altered, amended, or revoked and is in full force and effect.

[Signature of Clerk]

[Official Seal of Municipality]

Appendix D Sample Landowner Agreement Letter – may be adapted for all sellers and all bidders

LETTER OF AGREEMENT TO ENTER INTO A CONTRACT OF SALE OF (ACREAGE AMOUNT AND FULL STREET ADDRESS, TAX ID #) PURSUANT TO THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION OPEN SPACE CONSERVATION GRANT PROGRAM

THIS AGREEMENT is made the (date), [YEAR], by and between the (Name of Municipality or Not-for-Profit), New York (the "Town" or "Not-for-Profit") and (Seller's Name/s) (the "Owner");

WHEREAS, Owner is the owner of real property with Tax Parcel ID# xxxxx-xx-xxx situated on (full address including County), New York (the "Property"),

WHEREAS, the Town or Not-for-Profit (Name) is a municipal corporation or Not-for-Profit eligible for financial assistance to purchase land for the purpose of protection from development pursuant to the 2025 DEC Open Space Conservation Grant Program;

WHEREAS, the Owner desires to sell and the Town desires the purchase the Property in fee simple for the express purpose of establishing a community forest and protecting the land from future development; and

WHEREAS, to be eligible for a potential award of financial assistance through the DEC Open Space Conservation Grant Program, the Town or Not-for-Profit must obtain a letter of agreement demonstrating the Owner's intent to sell the Parcel;

THEREFORE, the Town and Owner agree that the Town or Not-for-Profit intends to purchase, and the Owner intends to sell, the Parcel, for protection from development and for the public benefit of all New Yorkers, and the Town or Not-for-Profit and Owner may enter into a future contract for sale of the Property, but only upon the following conditions and restrictions:

1. Execution of any contract for sale of the Property shall be contingent upon the Town's award of financial assistance through the DEC Open Space Land Acquisition Grant Program;
2. The Property shall be used for public benefit of all New Yorkers, unless exempted for environmental reasons;
3. The Property shall not be developed, and in general, structures, impervious surfaces, exterior lighting, dams and water impoundments, and utilities may not be installed, unless approved by the DEC;
4. The Property shall not be subdivided and shall be held in trust for the public and accessible by the public, forever;
5. The Property shall be managed for the public benefit, and dumping of wastes, trash or debris, and mining, shall be prohibited;
6. Planting of non-native species shall be prohibited; and

Signed - **SELLER** Name (Date, full address and signature)

Signed – **NFP or Municipality Name**, Town official's name, full municipal address and signature

Add Notary if available

Appendix E – Notice of Grant Language

Contract # C#####G Deed Requirements:

The following must be included as a recital in the body of the deed:

“SAID PREMISES is acquired with funding received by the Grantee from the NYS Environmental Protection Fund and the 2022 Clean Water, Clean Air, Green Jobs Environmental Bond Act under Master Contract for Grants, Contract No. C#####G, between the New York State Department of Environmental Conservation and _____. Upon recording of this deed, all use of the property is and shall remain subject to the terms and conditions described in the Notice of Grant attached hereto as Schedule _____ and recorded herewith.”

Notice of Grant (NEXT PAGE) must be attached to the deed as a Schedule Exhibit. Items in bold are to be filled in by the Grantee.

Exhibit _____

NOTICE OF GRANT

THIS NOTICE, dated ____ day of _____, 2026, is made by the _____, (hereinafter "Grantee") whose address is _____.

WITNESSETH

WHEREAS, the _____ is the owner of certain real property located in the Town/Village of _____, County _____, State of New York, Tax Map District _____, Section _____, Block _____ and Lot _____, which real property is more particularly described in Schedule A _____ annexed hereto (hereinafter "Protected Property"); and

FOR NOT FOR PROFITS

WHEREAS, the Grantee is a publicly supported charitable organization qualified as exempt for federal tax purposes pursuant to Section 501 (c)(3) of the internal revenue code or any similar successor statutory provision, organized inter alia for the conservation or preservation of real property for the purpose of conserving and preserving the unique environmental, agricultural, scenic and open space values of lands located in New York State and which has the power to acquire interests in real property; and OR

FOR MUNICIPALITIES

WHEREAS, Grantee is a municipal corporation, defined in subdivision 58-0101(8) as; a local public authority or public benefit corporation, a county, city, town, village, school district, supervisory district, district corporation, improvement district within a county, city, town or village, or Indian Nation or Tribe recognized by the state or the United States with a reservation wholly or partly within the boundaries of New York State, or any combination thereof; and

WHEREAS, the _____ has been awarded a State Assistance Payment in accordance with DEC Open Space Conservation Grant Program, Round 1 ("Program"), through the NYS Department of Environmental Conservation (Department) via NYS Master Contract for Grants No. C#####G ("Contract"), for the purpose of open space conservation.

NOW, THEREFORE, Notice hereby given to any party having a right, title or interest in the Protected Property, now or in the future, that the following provisions are perpetual and run with the land:

1. The Protected Property is dedicated for use as open space, compatible with New York State's Open Space Conservation Goals as stated within the 2016 New York State Open Space Conservation Plan, and/or successor plans, subject to all terms and conditions of the grant Contract and consistent with the purposes of the grant Program.
2. All terms and conditions herein applying to the Grantee shall apply to any party having a right, title or interest in the Protected Property, now or in the future.
3. The Protected Property may be subject to inspection upon the request of DEC.

4. If the Grantee loses control of the Protected Property, control must be fully restored to the Grantee or the property must be replaced, within three years, in accordance with paragraph 7, herein. Further, if the Protected Property is used for activities which interfere with accomplishment of approved purposes, the violating activities must cease, and any resulting adverse effects must be remedied.
5. The Grantee shall exercise sufficient control over the Protected Property to ensure that the Protected Property is used and will continue to be used for the approved purposes for which it is acquired. Further, the property may not be conveyed or encumbered, in whole or in part, to any other party or for any other use, whatsoever, without the written consent of DEC.
6. The Protected Property shall not be transferred or sold to any other entity in perpetuity unless;
 - A. It is conveyed at no cost to the State of New York, under the jurisdiction of the Environmental Conservation Department or the Office of Parks Recreation or Historical Preservation; or, upon approval of DEC, to a not-for-profit, municipality, or Indian Nation who will continue to use the real property for the same public purpose; or,
 - B. Property of equal or greater current value is acquired by the Grantee for the purpose of open space conservation, in accordance with paragraph 7, herein.
7. In the event that the Grantee sells a parcel(s) included in the Protected Property, the Grantee must acquire an exchange parcel(s) which meets the following:
 - A. DEC must review and provide written approval of the proposed acquisition of an exchange parcel(s) prior to the sale of the original parcel(s).
 - B. Exchange parcel(s) must be of equal environmental value as open space compatible with New York State's Open Space Conservation Goals as stated within the 2016 New York State Open Space Conservation Plan and/or successor plans.
 - C. Value of the exchange parcel(s) must be equal to or greater than the current fair market value of the original parcel(s).

By: _____
Its: _____

State of New York
County

On the _____ day of _____ month in the year 2021 before me, the undersigned _____ personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose names(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed in the same in the signature(s) on the instrument, the individuals(s), or the person upon behalf of which the individual(s) acted, executed in the instrument.

Notary Public
(Notary Public Stamp Here)

Appendix F – Grant Appraisal Requirements

All appraisals completed for this grant need to follow *NYSDEC Grant Programs Standards and Procedures for Appraisal Reporting and Reviewing*. All consultant appraisers hired by the Grantee need to be provided these standards prior to accepting an appraisal assignment. The following three documents summarize the assignment conditions required by this grant program. Please refer to the full document at https://dec.ny.gov/sites/default/files/2025-11/NYSDEC_Grant_Standards_Procedures_Appraisal_Reporting_Reviewing_20250801.pdf for more information.

NYSDEC Assignment Conditions for Appraisals of Open Space Grant Projects

*Appraisals under the New York State Department of Environmental Conservation review **MUST** incorporate the following standards as assignment conditions:*

- Appraisals are to be compliant with the most recent publication of the Uniform Standards of Professional Appraisal Practice (USPAP).
- Appraisal reports are to be written in a full **narrative** format by a **Certified General Appraiser** and should include a signed certification including the names of persons providing significant real property appraisal assistance, if applicable.
- Include New York State Department of Environmental Conservation (**NYSDEC**) as the client. Any additional intended users to be included as needed per individual grant requirements.
- Per USPAP and DEC internal directive, make sure appraisals **do not** include demographic data in the appraisal report that relates to protected characteristics (race, color, religion, national origin, sex, disability, or familial status) for example, census reporting.
- If an estimated value is anticipated to be greater than or equal to \$500,000, two appraisals **must** be commissioned. Both appraisal reports are to share the same effective date of value. If a second appraisal is secured at a later date, the second appraisal must be completed with a retrospective date of value matching that of the first appraisal.
- NYSDEC requires the appraiser to disclose **ANY** previous valuation of the subject property or portions of the subject property regardless of how many years have elapsed since that valuation in their bid submissions.
- The Consultant Review Appraiser will be required to attend any site inspections performed by the Contract Appraiser(s). The grant applicant and the property owner will be invited to attend this site inspection. The grant applicant and property owner may provide factual data; property or market information; and verification of sales, contracts, listings to the appraiser at the site inspection. The grant applicant and property owner are not to provide appraisal instructions to the appraiser during the appraisal and review process.
- Appraisals **must** adhere to *NYSDEC Guidance for the Use of Hypothetical Conditions (see following page)*. All extraordinary assumptions and/or hypothetical conditions must be clearly and conspicuously stated.
- If timber production is a primary or secondary use of the subject or sale properties, it may be necessary to consult with a timber expert for analysis and comparison purposes. This is not to be interpreted as a requirement for a timber cruise.
- *For Appraisals of Conservation Easements:*
 - **must** be commissioned after the easement language has been reviewed and approved by DEC.

- ***must*** include a before and after valuation. Appraisals of Conservation Easements using a direct valuation approach will not be accepted.
- ***must*** include all appropriate assumptions and limiting conditions while also adhering to ***DEC Guidance for the use of Hypothetical Conditions***.
- Appraisal reports ***must*** be transmitted to the designated review appraiser
- Corrections and/or revisions recommended by the review appraiser for compliance with applicable standards, laws and regulations, ***must*** be made and submitted in a timely manner.
- An Appraisal Report should expire one year from report date as per standard Comptroller Policy for Land Acquisitions. Revised reports require a new report date.
- Failure to adhere to any one of these standards may result in the rejection of the appraisal report.

NYSDEC Guidance for the Use of Hypothetical Conditions

Hypothetical Condition

The Uniform Standards of Professional Appraisal Practice (USPAP) defines a hypothetical condition as: “*A condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results but is used for the purpose of analysis.*”

Comment: Hypothetical Conditions are contrary to known facts about physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis.

Before an appraiser can use a hypothetical condition in an appraisal assignment the appraiser has to satisfy all the following conditions as set forth by USPAP:

- Use of the hypothetical condition is clearly required for legal purposes, for purposes of reasonable analysis, or for purposes of comparison, and
- Use of the hypothetical condition results in a credible analysis
- Clearly and conspicuously state all hypothetical conditions
- State that their use might have affected the assignment results

There may be circumstances where appraisers need to use hypothetical conditions in their assignments. If the appraiser determines that hypothetical conditions are necessary, they **must contact** the New York State Department of Environmental Conservation (**DEC**) **for prior written approval**. The appraiser **must** consult with the DEC and the client before use of a hypothetical condition in an appraisal report completed for a grant project. DEC may reject an appraisal report if the appraiser delivered the report with a hypothetical condition, which was not previously approved by the client and DEC.

NYSDEC Assignment Conditions for Appraisal Review of Open Space Grant Projects

*Consultant appraisal reviews **must** incorporate the following standards as assignment conditions:*

- Appraisal reviews are to be written in compliance with the most recent publication of the Uniform Standards of Professional Appraisal Practice (USPAP).
- Appraisal reviews **must** be prepared by a **NYS Certified General Appraiser**.
- Appraisal reviews **must** be performed as a “*technical field review*” (see definitions).
- Appraisal review reports **must** be in a full narrative format.
- Appraisal review reports **must** include compliance check sheets
- The Consultant Review Appraiser will be required to attend any site inspections performed by the Contract Appraiser(s). The grant applicant and the property owner will be invited to attend this site inspection. The grant applicant and property owner may provide factual data; property or market information; and verification of sales, contracts, listings to the appraiser at the site inspection. The grant applicant and property owner are not to provide appraisal instructions to the appraiser during the appraisal and review process.
- The subject must be field inspected and comparable sales should be inspected by the reviewer when practical. Sales over one hundred miles from the subject do not require field inspection. If previously inspected by the reviewer near the date of sale, they do not require field inspection. However, if the property was inspected before the date of sale, due diligence to verify the property condition on the sale date is required.
- The review appraiser **must** examine all appraisals to ensure they meet applicable appraisal requirements and **must**, prior to acceptance, seek necessary corrections or revisions from the appraiser.
- Per USPAP and NYSDEC internal directive, make sure appraisals **do not** include demographic data in the appraisal report that relates to protected characteristics (race, color, religion, national origin, sex, disability, or familial status) for example, census reporting. If information of this type is included in an appraisal, contact the appraiser and request it be removed and revised pages sent.
- NYSDEC requires the appraiser to disclose **ANY** previous valuation of the subject property or portions of the subject property regardless of how many years have elapsed since that valuation in their bid submissions.
- The review **must** make one of the following conclusions:
 - a) Recommend the appraisal as the basis of the amount believed to be just compensation (if two appraisals are under review, only one can be recommended); **or**
 - b) Accept the appraisal as meeting all the requirements, but do not recommend it as the basis of the amount believed to be just compensation and develop an independent opinion of value in accordance with the most recent publication of USPAP; **or**
 - c) Do not accept the appraisal because it does not meet all requirements and develop an independent opinion of value in accordance with the most recent publication of USPAP.

Appendix G – Surveys

LAND ACQUISITION PROJECTS – BOUNDARY SURVEY

Boundary Surveys for Open Space Conservation Grant Program projects must be in accordance with the Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors.

Materials available on DEC website:

- Map Title Block templet.
- Map Surveyor Certification templet.
- Survey Map check sheet.

Items to be supplied by Awardee to Surveyor/ Survey Firm:

- Interest to be acquired (Fee or Conservation Easement) (for use in title block).
- Name and bounds of applicable Property Use Zones (for use on map body & proposed description).
- Abstract of Title.
- Contract Number (for use in Surveyor Certification and Map Title Block).
- Name of Title Insurance Company (for use in Surveyor Certification).
- Title Policy Number (for use in Surveyor Certification).
- GRANT Boundary Survey Map Check Sheet (to be completed by surveyor/ survey firm).

Items to be supplied by Awardee to DEC for Survey Map Review (Map and Proposed Description to be submitted in preliminary and final versions):

- Preliminary Map in PDF.
- Preliminary Proposed Description (entire fee or easement area and breakdown by Property Use Zone).
- Title Commitment (including “Schedule B”).
- Completed GRANT Boundary Survey Map Check Sheet.

Results of Map and Proposed Description Review:

- A Findings Report outlining the review results will be produced. The report will be sent to the GRANT Program Lead and to the Awardee contact. The report to be updated following final map and proposed description review.

GENERAL:

- Map is to be referenced in Proposed Description.
- After final review and approval of the map, it must be recorded in the applicable County Clerk’s office prior to the recording of the deed in the County Clerk’s office.
- Corner will be monumented and lines painted and signed (not blazed).

GRANT Boundary Survey

Map Check Sheet

- GRANT Awardee & Grant No:

GENERAL:

Land Surveyor Certification Block

- Standard Templet Surveyor Certification Used (See Certification Templet)
- Firm Name (If Applicable)
- Land Surveyors Name
- NYS LS Registration Number
- Address & Phone Number
- LS Stamp Box signature and sealed with Ink Stamp or Embosser)
- Survey Completed on Date
- Certified to New York State Association of Professional Land Surveyors (NYSAPLS) Adopted Standards or Code of Practice
- Certified to Awardee (See Template for Certification Names)
- Certified to New York State Department of Environmental Conservation with reference to Grant Number
- Certified to Title Company with reference to Title Policy Number

Title Block

- Standard Template Title Block Used (See Template for Title Block, EXHIBIT A)
- Purchase Type (Fee or Conservation Easement recited as *Lands or Conservation Easement to be acquired*)
- Awardee Name
- Grantee Name
- Patent Data (if known)
- Hamlet, Village, City, Town, County, State
- Scale Bar

Standard Map Notes

- Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law.
- Only copies from the original of this survey marked with an original of the Land Surveyor's embossed seal and/or inked seal shall be considered to be valid true copies.
- Certifications indicated hereon signify that this survey was prepared in accordance with the current existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors, Inc.

- Certifications are limited to the persons for whom the survey is prepared, and on their behalf to the title company, governmental agencies and lending institutions listed hereon.
- Certification are not transferable to additional institutions or subsequent owners.
- Highway and Utility Easement Note if required. (Highway or Utility upon property surveyed)

Map Body

- Reference Title Data
- Background Title data if required to explain problems discovered
- Current Deed of Record with reference to recording info (Grantor and Grantee, Date of Instrument, Recording Date, Liber and Page)
- Current Adjacent Owners with reference to recorded Liber and Page
- Filed Map(s) with reference to recording info (Map Dated and Recording Date)

Orientation

- North Arrow with Reference to Datum: Record, Magnetic, True or Grid (with proper Declination)
- Meta Data (if applicable)
- Legend

Location

- Location Map Block (4"x4" Quad or equiv) with reference to source and scale
- Area map, if required (reduced copy of current tax map)
- Tax Map Parcel ID of Subject Parcel

Parcel Data

- Bearing and Distances properly labeled
- Record Data if different (Interior angles and distances)
- Corner Descriptions labeled
- Corner Ties to road intersection if required
- Area stated

Record Data Information

- Filed Map Block & Lot Numbers
- Superimposed subdivision lot lines, etc...
- Street or Highway lines indicated if required
- All gores or overlaps clearly indicated
- POB labelled with tie to road intersection or lot line

Content & Physical Locations

- Physical evidence of possession clearly indicated and explained
- Building Improvements shown with offsets to boundary lines shown
- Visible evidence to easements on or across premises clearly indicated and noted
- Surface indications of underground easements clearly indicated and noted
- Subsurface structures not shown where not visible or readily apparent
- Buildings, fences and all improvements on adjoining land within ten (10) feet of boundary shown, Offsets to boundary line shown
- All encroachments by subject property or adjoining property clearly shown and indicated, Offsets to boundary line shown

Topological Labeling

- Improvements properly labeled
- Roads properly labeled (Name, surface, width)

EXHIBIT A
MAP TITLE BLOCK

CLEAN WATER, CLEAN AIR, AND GREEN JOBS
ENVIRONMENTAL BOND ACT OF 2022

MAP

OF (LANDS or CONSERVATION EASEMENT) TO BE ACQUIRED PURSUANT TO
ARTICLE 58 OF THE ENVIRONMENTAL CONSERVATION LAW

TO BE ACQUIRED BY

(Name of Awardee)

FROM

(Name of Seller or Grantor)

UNDER

(Contract Number: XXXXXXXXXXX)

SITUATE

(Patent Lot Number if known)

(Patent Allotment if known)

(Patent Name if known)

Town of XXXXX

County of XXXXXXX

State of New York



SCALE - 1 INCH = 200 FEET